

Mr. REED of Pennsylvania. Now I move that the Senate adjourn.

Mr. WALSH of Montana. Will the Senator yield for a notice?

Mr. REED of Pennsylvania. I withdraw the motion.

Mr. WALSH of Montana. I desire to give notice that on to-morrow at the conclusion of the legislative business of the day I shall ask the Senate to go into executive session for the purpose of considering the nomination of Mr. Knight.

Mr. REED of Pennsylvania. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 10, 1924, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, April 9, 1924

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

With lowly reverence we seek Thee, our Father in heaven; to Thee we would consecrate all human affection. Thou hast taught us this; we have learned it from what Thou art. In our problems, in our doubts, in our fears, in our difficulties, help us, O Lord. May we discern the spiritual meaning in all common things. Receive us as though we have done well instead of ill all the days of our lives. Heal the sore in heart. With divine tenderness bind up that which is broken. Rekindle the fires of hope and courage in all afflicted lives. May they rest in quietness and confidence, knowing that Thou wilt never disappoint or turn away the least of Thy children. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### — LAW ENFORCEMENT —

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Maryland asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, on the 8th of February the Federal prohibition commissioner wrote to Dr. Nicholas Murray Butler, president of Columbia University, asking him to express his opinion on the problem of reestablishing the majesty of law as it refers to the eighteenth amendment and the laws enacted subsequent thereto.

On the 15th of February the President of Columbia University replied to this request of the Federal prohibition commissioner, and I think his reply, coming as it does from one of the greatest constitutional authorities and students of the Constitution in the country, will be of interest to the House. I ask unanimous consent to revise and extend my remarks, and especially by including in the rest of my remarks this letter from Doctor Butler.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The letter referred to follows:

#### OBEDIENCE TO LAW VERSUS ENFORCEMENT OF ONE LAW

FEBRUARY 15, 1924.

Mr. R. A. HAYNES,

*Federal Prohibition Commissioner,*

*Bureau of Internal Revenue, Treasury Department,*  
*Washington, D. C.*

MY DEAR COMMISSIONER: I have the honor to acknowledge the receipt of your letter of February 8, and to express the satisfaction which I have had in discussing with your very efficient representative the nation-wide conditions as to law and lawlessness that have followed upon the ratification of the eighteenth amendment and upon the enactment of legislation pursuant thereto.

You are kind enough to ask me to express my opinion "on the problem of reestablishing the majesty of law as it refers to the eighteenth amendment and the laws enacted subsequent thereto."

In reply I can not do better than to quote the following paragraph from a short address which I made on January 3 last to a group of newly naturalized citizens, in the United States district court, Brooklyn, N. Y.:

"Resolve to know and to obey the law. If there be unwise or unjust laws, it is in the power of the American people to change them in orderly fashion. You are not yourselves the judge of what is the law; no one of us is that. The law is

established by our legislatures—local, State, and National—and it is declared and interpreted to us by the courts. Any attempt, or a share in any attempt, knowingly to violate the law or forcibly to attack or overturn the institutions on which our country is based is a crime of the first magnitude. Shut your ears to those who would invite you to any such undertaking."

On the general subject of law and lawlessness I can best refer you to a full statement of my views, as made in an address before the Ohio State Bar Association at Columbus, Ohio, on January 26, 1923. A copy of this address, reprinted from the CONGRESSIONAL RECORD of February 24, 1923, is inclosed herewith.

Speaking in the city of New York on January 17, 1924, I used these words:

"A lawless people will sooner or later become a barbarous people. Civilization can only rest upon obedience to law, and only those laws will be genuinely and permanently obeyed which by their own force and reasonableness make appeal to our intelligence and our conscience."

Permit me to add that my observation convinces me that no small part of the present cry for law enforcement is insincere and is widely recognized as such. It not infrequently means the enforcement of some one particular phase of the law in disregard or in contempt of other and far more vital phases of that same law.

Has your attention been called to a dispatch from Portland, Oreg., printed in morning newspapers of January 27, 1924, in which the Governor of Oregon, speaking before the District Attorneys' Association of that State, after declaring that a man's home is no longer his castle and his sanctuary, is reported to have said:

"We claim the right to go into any place in the State at any time as secret agents and discover, if possible, law violations."

This shameless declaration of lawless intent and purpose on the part of the governor of an American State, particularly when speaking to a body of men who themselves hold a semijudicial position, reveals far more clearly than any words of yours or mine can possibly do how widespread and how dangerous is the contempt for law among our people. The Governor of Oregon, if correctly reported, invited a return to the law of the jungle. He need not be surprised if his forcible violations of law are resisted with force by free men.

From the standpoint of the citizen our law is a unit. When I urge obedience to law I mean obedience to the whole body of American law, constitutional and statutory. I mean the first, the fourth, the fifth, the sixth, the tenth, the fourteenth, and the fifteenth amendments, as well as the eighteenth. If by any chance provisions of existing law are in conflict with each other, then the intelligent and upright citizen will choose to obey that provision of the law, fundamental or statutory, which is the more important and more vitally associated with the development and protection of what we know as Anglo-Saxon liberty. To select one provision of law for emphatic enforcement at huge cost in derogation of all other provisions of law is itself in spirit a lawless act, and thereby offers new incentive to that lawlessness which the genuinely moral and intelligent elements of our citizenship are striving by all possible means to check.

With appreciation of the opportunity you have given me to state my opinion on this vitally important matter, which is rapidly undermining the foundations of both our private and our public morals, I am,

Very truly yours,

NICHOLAS MURRAY BUTLER.

Mr. HILL of Maryland. Here is the letter from the Federal prohibition commissioner to which Doctor Butler replied:

TREASURY DEPARTMENT, BUREAU OF INTERNAL REVENUE,  
OFFICE OF FEDERAL PROHIBITION COMMISSIONER,  
Washington, February 8, 1924.

Dr. NICHOLAS MURRAY BUTLER,

*President Columbia University,*  
*New York City, N. Y.*

DEAR DOCTOR BUTLER: Federal agencies under my direction are making a survey of our leading institutions and leaders of social thought to ascertain the exact status of men and institutions toward the problem of law enforcement from without, and law observance from within, our foremost institutions.

I appreciate the aid you so courteously extended my representatives and I want you to know that every assistance given by you to the prohibition unit as a law-enforcing agency is of great value.

May I ask you to express your opinion to-day on the problem of reestablishing the majesty of law as it refers to the eighteenth amendment and the laws enacted subsequent thereto?

Very truly yours,

R. A. HAYNES, *Prohibition Commissioner.*

I agree with what Doctor Butler says, "To select one provision of law for emphatic enforcement at huge cost in derogation of all other provisions of law is itself in spirit a lawless act."

The Federal prohibition commissioner admits that there is a necessity for "reestablishing the majesty of the law." If the Volstead Act has disestablished the whole of the American "majesty of the law," what should sensible and patriotic Americans do? Personally, I prefer the whole majestic fabric of Federal law to that one poor patch thereon which is called the Volstead Act. [Applause.]

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 2812. An act to authorize the Secretary of the Interior to sell certain lands not longer needed for the Rapid City Indian School;

H. R. 6943. An act granting the consent of Congress to the village of Port Chester, N. Y., and the town of Greenwich, Conn., or either of them, to construct, maintain, and operate a dam across the Byram River;

H. R. 4117. An act authorizing an appropriation for the construction of a road within the Fort Apache Indian Reservation, Ariz., and for other purposes;

H. R. 2877. An act providing for the reservation of certain lands in New Mexico for the Indians of the Zia Pueblo;

H. R. 6724. An act granting the consent of Congress to the counties of Sibley and Scott, Minn., to construct a bridge across the Minnesota River;

H. R. 6483. An act amending an act entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes," approved June 28, 1906, and acts amendatory thereof and supplemental thereto;

H. R. 4803. An act to authorize the sale of lands and plants not longer needed for Indian administrative or allotment purposes;

H. R. 4804. An act to authorize the allotment of certain lands within the Fort Yuma Indian Reservation, Calif., and for other purposes;

H. R. 472. An act to authorize the deposit of certain funds in the Treasury of the United States to the credit of Navajo Tribe of Indians and to make same available for appropriation for the benefit of said Indians;

H. R. 2883. An act to validate certain allotments of land made to Indians on the Lac Courte Oreille Indian Reservation in Wisconsin;

H. R. 593. An act authorizing the issuance of service medals to officers and enlisted men of the two brigades of Texas Cavalry organized under authority from the War Department under date of December 8, 1917, and authorizing an appropriation therefor, and further authorizing the wearing by such officers and enlisted men on occasions of ceremony of the uniform lawfully prescribed to be worn by them during their service;

H. R. 2876. An act to provide for the payment of claims of Chippewa Indians of Minnesota for back annuities;

H. R. 3682. An act authorizing the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior; and

H. R. 4439. An act to amend section 71 of the Judicial Code, as amended.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that on the first day after the completion of the immigration bill I may have one hour to address the House immediately after the reading of the Journal, provided that would not throw it on next Monday, which is District day.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the first day after the completion of the immigration bill, except on Monday, District day, he may address the House for one hour after the reading of the Journal. Is there objection?

Mr. BEGG. Mr. Speaker, reserving the right to object, on what subject?

Mr. BARKLEY. I desire to discuss transportation.

Mr. BEGG. Will the gentleman quit when he has had an hour, or ask for another half hour?

Mr. BARKLEY. I will try to quit at the end of the hour, but if I lack 5 or 10 minutes I would not want the gentleman to object.

Mr. BEGG. I would like to have it understood.

Mr. BARKLEY. I think an hour is all I will want.

Mr. WATKINS. Mr. Speaker, reserving the right to object, let me ask the gentleman if that request is for time after we finish the immigration bill?

Mr. BARKLEY. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### EXTENSION OF REMARKS

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing a brief letter from a prominent farmer in my district expressing his convictions on farm-relief legislation. I think there is some valuable information in the letter.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, we can not understand what is going on over here.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the Record by publishing a letter from one of his constituents relative to farm-relief legislation.

Mr. GARNER of Texas. Mr. Speaker, I simply want to call to the attention of Mr. BEGG and others, who are in charge here, that if you are going to permit the publishing of all the letters we receive on the question of farm relief, the Record is going to be rather large.

Mr. BEGG. Mr. Speaker, if the gentleman from Texas will permit, I think it is his responsibility as much as the responsibility of the gentleman from Ohio to protect the Record, and personally I do not believe we ought to publish all of these letters, but if the gentleman from Texas wants to let it go, I shall not object.

Mr. UNDERHILL. Mr. Speaker, I object.

#### PROTECTION OF THE FISHERIES OF ALASKA

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 8143, with Mr. MAPES in the chair.

The Clerk reported the title of the bill.

Mr. LAZARO. Mr. Chairman, I would like to ask the chairman of the committee how much time we have left?

Mr. GREENE of Massachusetts. There has only been 13 minutes used on this side. If you want to use any time on that side, I will give you the opportunity now.

Mr. LAZARO. I have promised 10 minutes to the gentleman from Rhode Island [Mr. O'CONNELL].

Mr. DAVIS of Tennessee. Mr. Chairman, will you advise us as to the status of the time under the control of the gentleman from Louisiana [Mr. LAZARO]?

The CHAIRMAN. The timekeeper is looking it up now. My recollection is the gentleman from Louisiana has used 15 minutes.

Mr. LAZARO. That is correct. I yield 10 minutes to the gentleman from Rhode Island [Mr. O'CONNELL].

Mr. O'CONNELL of Rhode Island. Mr. Chairman and gentlemen of the committee, there should be no objection to the passage of legislation such as is proposed by the bill under consideration. It seems to me that we have delayed legislation of this sort unduly. A bill such as is here proposed has been before this Congress for a number of years. A bill of similar import was on the calendar for a long period of time last year but was never taken up for vote. We are now confronted with a most serious problem so far as the Alaskan fisheries are concerned. This bill relates to the preservation of the salmon industry in Alaska.

The Members of the House are probably well aware that the Atlantic seaboard used to be a place where salmon abounded, but to-day, with the exception of the Penobscot River in Maine, there is probably no place on the Atlantic coast where there are salmon in any quantity. That is due to the fact that they have been taken without restraint, without regard to the future, and without any adequate law for the preservation of the salmon. Unless something drastic is done immediately we are going to have the same situation on the Pacific coast and in Alaskan Territorial waters.

The act of June 26, 1906, is the operative act to-day, so far as the Alaskan fisheries are concerned, and under that act the Secretary of Commerce is given certain limited authority over the waters of Alaska. In 1910 an act was passed which ratified the action of President Roosevelt and President Taft in withdrawing certain lands of Alaska from the salmon fisheries, possibly about a third of the entire area, and under the present act the Secretary of Commerce has only a limited jurisdiction. The present law applies only to fishing in the streams and rivers of Alaska and within the area 500 yards outside their mouths. Under the present bill it is proposed to extend that authority to the 3-mile limit of the Territorial waters in Alaska.



It seems to me that such jurisdiction should be speedily conferred upon the Secretary of Commerce.

Alaska was purchased from Russia in 1867 and at that time the fisheries were established only in a small way. The salmon-canning industry did not begin in Alaska until 1878, but it has greatly increased in importance until in the year 1918, which was the peak year, 138 canneries packed over 6,000,000 cases of salmon, valued at about \$50,000,000. In 1922 there were about 72,000,000 individual salmon caught in the Territory of Alaska.

Many of you gentlemen know that these salmon start their life cycle at the headwaters of some lake or stream and remain in fresh water for a period of time—perhaps six months, or it may be a year and a half, and there have been cases known where the length of time has been as much as four years—then they go out into the open ocean and live there until it is time for them to come back and spawn, and they spawn always in the fresh water. When these salmon come back, when they return to what is known as the parent stream, they usually divide into pairs, one male and one female. They come back almost to the identical spot where they were hatched.

Mr. WATKINS. Will the gentleman yield?

Mr. O'CONNELL of Rhode Island. I will.

Mr. WATKINS. The committee report states that there has been a marked decrease in the run of salmon and their almost complete extinction. Will the gentleman give us some information as to the reproduction and propagation of that species?

Mr. O'CONNELL of Rhode Island. I shall be glad to give that information to the distinguished gentleman from Oregon, who lives in that part of the country where there are so many salmon, and who possibly may be an expert on this particular matter. The female salmon lays from two to three thousand eggs apiece; as they come back into the stream they seek some spot where the waters are somewhat quiet, preferring shallow, gravelly bottoms; the female salmon emits a spurt of eggs, which are covered up in the gravel or sand by both the male and the female, using their tails, bodies, and fins for this purpose. Another spurt of eggs is then emitted by the female, which continues depositing different layers of eggs, covering them up as soon as deposited with gravel. Usually these eggs are deposited all in one particular place, but it sometimes happens that they go on to some other place near at hand and deposit the balance of the eggs. These eggs as laid are fertilized by the male. As soon as the eggs have been deposited the work of the salmon is done, their life cycle is completed, and, with the exception possibly of one species of salmon, both male and female die after the eggs have been deposited. Now, in Alaskan waters there are four different species of salmon. The humpback has a life cycle of two years. The silver salmon has a life cycle of three years. The chum salmon has a life cycle of four years. The red salmon, which is sometimes known as the sock-eye salmon, is considered as one of the most valuable salmon for sale purposes, although those who know something about the edible qualities of salmon say the other varieties of salmon are just as good eating; the red salmon may live for a period of about five years. As I have stated, when they come back and deposit their eggs the work of the salmon is done, their life cycle is completed, and in response to the inexorable laws of nature they yield up their lives.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

[Mr. O'CONNELL of Rhode Island had leave to extend his remarks.]

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 30 minutes to the Delegate from Alaska [Mr. SUTHERLAND].

Mr. SUTHERLAND. Mr. Chairman, I have an amendment here which I shall offer at the proper time, and I ask unanimous consent that it be read now for information.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. SUTHERLAND: At the end of section 3, on page 4, line 20, after the word "appliance," add: "That it shall be unlawful to drive, construct, set, or fish with any fixed or floating trap, weir, or pound net in any bay, inlet, or estuary in Alaska the width of which at its entrance is 3 miles or less, or within any channel or passage connecting larger bodies of water where the width of said channel or passage is 3 miles or less, or within 1 mile of the entrance to any bay, inlet, or estuary which is 2 miles or less in width at its entrance, or within 1 mile of the mouth of any stream into which salmon are accustomed to run."

Mr. SUTHERLAND. Mr. Chairman, that provision was written into the bill for the protection of the Alaskan fisheries which was introduced at the last session. The bill stood on the calendar for a period of a year. The question of the re-

striction of the use of traps was discussed at considerable length in the Committee on the Merchant Marine and Fisheries, and I think I am safe in saying that the bill as reported, which is now before us, although it does not contain this provision, still was reported without prejudice to this particular amendment. In fact, one of the influential members of the Subcommittee on the Merchant Marine and Fisheries proposed that the matter be taken up with the Bureau of Fisheries to see if a compromise could not be arrived at in connection with this much-discussed feature of the fisheries. This provision is recommended by the people of Alaska, recommended by the Territorial legislature by unanimous vote. Before the Alaska Legislature went into session last spring, the session of 1923, Secretary Hoover of the Department of Commerce wrote as follows to the Governor of Alaska:

The department will be glad if you would get the conflicting interests in Alaska into agreement upon the form of legislation, and an agreement that will save the fish will be reported by the department.

On the strength of that letter Governor Bone addressed the legislature as follows:

In this connection I am authorized by Secretary Hoover, in the Department of Commerce, to state that the department will welcome a measure prepared in Juneau for the protection of the fisheries of Alaska and safeguarding the interests of the Territory and the rights of all Alaskans, but fair to those having their money invested in the fishing industry. If the legislature will prepare such a measure, I can promise you the support of Secretary Hoover and the administration.

The Territorial legislature passed a comprehensive bill for submission to Congress, of which this provision was one of the essential features. The same provision is indorsed by the grand jury, sitting at Ketchikan, Alaska, where the salmon industry is pursued most intensely, that grand jury being composed in part of cannery men. Their recommendation was that the stationary trap be taken out of the small bays and estuaries in Alaska. The native population of Alaska to a man have indorsed this measure. In fact, every fisherman, every cannery man, every resident of Alaska, other than those who happen to have traps within the mouths of streams, have indorsed this measure.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. HERSEY. There is a great difference in the quality of salmon, is there not?

Mr. SUTHERLAND. Yes.

Mr. HERSEY. Those coming from the cold waters of the north are the best. I might instance the Penobscot River in my own State of Maine, which probably has the best salmon in the world, the next being the Alaska salmon.

Mr. SUTHERLAND. Yes.

Mr. HERSEY. And this bill is to protect the best salmon in the world from extinction?

Mr. SUTHERLAND. That is the purpose.

Mr. HERSEY. While there is plenty of poor salmon, there is little of good salmon.

Mr. SUTHERLAND. The salmon in Alaska are generally very good. It is usually said that the best fish in the world are in the cold northern waters, and generally that is true. However, I have in mind that the Chinook salmon of the Columbia River has always been considered the finest salmon in the world. A little further north is the Frazier River, and that has always contained the very high quality of sockeye salmon. The trade does not hold that the northern Alaska salmon is as good in quality as the southern salmon of the Columbia River.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. McKEOWN. Will the gentleman be good enough to make plain to the House the effect of the difference between his amendment and the present bill without it, so that we may understand? Briefly, this amendment would eliminate those traps that are within the mouths of rivers and in the estuaries of Alaska. I made a very careful estimate of the number that would be removed, taking the licensed traps of the year 1920, and taking charts of Alaska and marking off the location of every trap, and I concluded that 29 per cent of the licensed traps would be removed. The Bureau of Fisheries holds that approximately 50 per cent would be removed. I am not entering into any controversy as to the percentage of removal, although I consider that I gave the matter more attention than did the bureau.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. HUDSPETH. I see that the gentleman has a very restrictive bill here. In my judgment it would protect the sal-



mon in Alaska, but I ask the gentleman if they have a sufficient number of fish wardens there?

Mr. SUTHERLAND. We have not.

Mr. HUDSPETH. Then how are you going to enforce the law?

Mr. SUTHERLAND. We will enforce it the same as we have in the past, to the best we can with the limited number of fish wardens. I am hoping that they may be increased.

Mr. HUDSPETH. Has the gentleman asked that the number be increased?

Mr. SUTHERLAND. Yes, and the Bureau of Fisheries has also asked for an increase in the appropriations.

Mr. BLANTON. But the inquiry that my colleague makes is a very pertinent one, because this is the legislative bill which would authorize the Committee on Appropriations to give a sufficient number. Unless by proper amendment it is put into this legislative bill you will not get them from the Committee on Appropriations. I think the suggestion made by my colleague ought to be carried out if you need more men and ought to be put into this bill.

Mr. HUDSPETH. That is the thought that occurred to me. This is a good bill if you have the machinery to carry it out.

Mr. SUTHERLAND. Mr. Chairman, the salmon of the Alaskan waters at the time of spawning moves from the ocean into the inlets, rivers, and lakes of the Territory.

The movement through the sounds and along the ocean shore is governed to a large extent by the set of currents, and wherever the current in its movement strikes a jetting headland and maybe shoal water underneath, eddies are formed and in these eddies the salmon congregate possibly for rest, possibly for food, which may also be concentrated. Now, for centuries the native of Alaska and later the white man has drifted his net through these eddies followed in rotation by his neighbors. The man with a seine has cast his seine into the eddies and pursed them up, moved out of the eddy by the force of the tide, and his neighbor occupying the same place for a few minutes will have opportunity for the setting of the seine. Every man enjoyed equal opportunity in the fisheries because of the exercise of the common right of fisheries and then selfishness and avariciousness came into the fisheries and men determined these eddies should be their exclusive property, and accordingly they put out from the shore great barricades and stakes and covered them with twine and monopolized the eddies and the man with the net and seine was driven out of his rights so far as the fisheries there were concerned. Now, in regard to the movement of the fish that the Representative from Rhode Island called to your attention. The fish, as I say, move in toward a stream and move in a body. Presumably they are bound for what is known as the parent stream. The parent stream theory applies to the Atlantic coast, just exactly as it does on the Alaskan and Pacific coasts. The shad and alewives certainly return by instinct of nature to the place where they were spawned. It has always been assumed that the little salmon when they leave the spawning grounds in the spring come to the ocean in schools, that is a school of the parent stream was by itself in the ocean. The Bureau of Fisheries within the past two years has made an experiment and demonstrated that this is not a fact. They have taken salmon from the ocean, placed an aluminum tag on them and then liberated them and these salmon were found in dozens of different streams all over the territory, proving that although they are in a body or school when they enter the parent stream, they mingle as a great body of salmon in the Pacific ocean during the years in which they come to maturity.

When the salmon are in front of the estuary which is their home or parent stream they separate from the main body of fish and join their own fellows in that particular stream and there the trap-fishing system gets in its deadly work. I have stood for hours on the top of a trap and watched the operation of the automatic catching of fish. The salmon come and follow up the lead to an aperture which enters the heart, where they are captured, and almost invariably they move away and then return, and the entire school follows the leader or maybe several leaders. They hesitate about entering that little aperture and finally one fish will pass in and then another and then the entire school will follow. It is just the same instinct that you will observe in domesticated animals. Have you ever seen a herd of cattle, sheep, or other domestic cattle that wish to get into another inclosure? Now, we will say that they have breached a fence, made a hole in a fence to get into another inclosure. You will find after the lead animal passes through every other animal to the last one follows, and the work of the automatic trap is fishing is identically the same in the capture of fish as in the movement of animals from one inclosure to the other. But in the smaller streams and estuaries—

Mr. UNDERHILL. Will the gentleman yield?

Mr. SUTHERLAND. Let me finish this and then I will yield. In the smaller streams and estuaries when the fish are congregated in one body moving toward the parent stream if by accident they come in contact with a trap lead and the lead fish enters the trap it is more than probable that the entire supply of that stream to the last fish is taken, and therefore a great many of the smaller streams in Alaska are barren of fish, and any number of men in Alaska will tell you by the method of the trap the entire supply is exterminated.

Mr. UNDERHILL. Can these entrances to the trap be fully closed by the owner of the trap?

Mr. SUTHERLAND. Yes; they can be easily closed and easily opened, of course.

Mr. UNDERHILL. Has any effort been made or suggestions been made that these entrances shall be closed on alternative days of the salmon run—that is, allowing at least 50 per cent of the salmon to go up in that one day—when it is closed the salmon can make the run, and the next day the trap may be opened?

Mr. SUTHERLAND. The Bureau of Fisheries have the power to compel them to do that. They have what is called a closed Sunday, closing from Saturday night until Monday morning.

Mr. UNDERHILL. That plan has been successful in other fisheries where they allow alternative days for catching fish and then allow the run to proceed on the other days.

Mr. SUTHERLAND. The closed season is recognized as one of the best means of propagating fish and permitting them to get to the spawning ground.

Mr. WHITE of Maine. In order to emphasize this to the gentleman from Massachusetts, this bill not only regulates but determines and fixes the closed season when the fish shall not be taken, and also permits the extension of the closed time at the discretion of the regulatory body.

Mr. CRISP. Does the gentleman favor the abolition of gill nets?

Mr. SUTHERLAND. A gill net does not operate in clear water. The seine is not nearly so destructive as the trap. Therefore, I do not ask for the abolition of seines.

Now, I want to speak particularly of the destructiveness of the trap, and I want to confine myself entirely to the testimony of the representatives of the Department of Commerce and the Treasury and also the authorities on fishery. I do not want to come here and tell you about the destructiveness from my own observation, but to take the opinions of disinterested scientific men who have made those observations in Alaska, and I want to speak of one particular trap section of the Territory which happens to be reported in the records of the department. It applies, however, to about all the trap sections of Alaska. In the years 1897, 1898, and 1899 Mr. Howard M. Kutchin was a representative of the Treasury Department in an investigation of the Alaska fisheries. He was a very energetic man, and made quite elaborate reports on the situation existing at that time, and I want to read to you his report on Chignik Bay, a point to which I wish to call your particular attention. He says:

#### THE CHIGNIK TRAPS

In my reports of 1897-98 I set forth at length and with considerable emphasis what I deemed the grossly unlawful practices of the companies engaged in taking salmon at Chignik Bay. The law for the protection of the salmon fisheries of Alaska provides that there shall not be employed "fixed or stationary obstructions in the rivers or streams." The situation at this point in this respect could not be more completely in disregard of this provision in letter and spirit, while in effect it conflicts with every precautionary measure calculated to preserve free ingress of salmon to the spawning grounds.

Upon the strength of my representation of these facts I was instructed by the department to lay the matter before the United States district attorney for Alaska for action by him looking to the enforcement of the law, and I did so in the following communication:

#### TREASURY DEPARTMENT,

#### OFFICE OF SPECIAL AGENT,

Washington, D. C., March 2, 1899.

SIR: I am instructed by the honorable Secretary of the Treasury to put you in possession of such facts, names, and other specifications as I possess in relation to violations of the law for the protection of the salmon fisheries of Alaska, especially with reference to the conditions at Chignik.

At that fishery extensive "traps" have been in use by the packing companies, contrary, as I believe and have reported, to the letter and spirit of the act referred to.

The firms engaged in this unlawful method of taking salmon at Chignik are the Alaska Packers' Association, George Plath, super-



intendent; the Pacific Steam Whaling Co., George Lansburg, superintendent; Hume Brothers & Hume, Joseph Hume, superintendent.

There has been no attempt to disguise or deny the fact that "traps" have been in use by all these companies for several years, and I assume there will be no disavowal of the allegation to that effect. Therefore it is probable that there will be no contest as to the question of fact.

The home offices of the several companies named are in San Francisco, as follows: Pacific Steam Whaling Co., E. L. Griffith, manager, No. 30 California Street; Alaska Packers' Association, W. B. Bradford, secretary, No. 130 Market Street; Hume Bros. & Hume, Joseph Hume, president, No. 6 Stewart Street.

It is the purpose of the department to rigidly enforce this particular clause of the law in relation to Chignik, and it is therefore desirable that the parties named shall have early notice from you that proceedings to secure a construction of the act in question have been instituted.

For any further particulars desired please address me at No. 4112 West Belle Place, St. Louis, Mo.

Respectfully yours,

HOWARD M. KUTCHIN, *Special Agent.*

Advices were later received from the district attorney that he had proceeded in the premises. I do not understand that the case has as yet reached the court, nor am I able to report what is the present status of the proceedings. So far as results are concerned, they are nil.

Upon my visit to Chignik this season I found the situation as bad as ever. With Captain Kilgore, of the revenue cutter *Perry*, a complete survey of the "lagoon" and river was made, with the result that there was no question between us as to the utter impossibility of any considerable number of fish running the gantlet of the obstructions and reaching the spawning grounds in the lake at the head of the river. The captain took a camera with him, at my request, in order that there might be secured something more incontrovertible than verbal description of the situation. Herewith will be found a series of views which most eloquently tell the tale. The first shows the "leaders" of a trap, extending practically from shore to shore, with the immense "pot" in the foreground.

The next shows the overlapping leaders of two traps, which but for an oblique passageway between them (seemingly about 300 feet wide) would completely fence the stream.

There are more than 20 of these traps in the river, covering a distance of about 5 miles from the bar at the mouth to the narrows.

The following letter from Captain Kilgore, furnished in response to a request from me for his opinion, shows that he fully agrees with me as to the lawlessness of the existing situation.

Now, I want to read Captain Kilgore's letter. Captain Kilgore was captain of the revenue cutter *Perry*. He says:

U. S. S. PERRY.

Sand Point, Popoff Island, Alaska, July 26, 1899.

DEAR SIR: I have your favor of recent date requesting an expression in the matter of placing pounds or traps in the waters designated as "Chignik Lagoon, Alaska," Hydrographic Notes Bulletin No. 38.

In reply, I have to state that on Saturday, July 24, in company with yourself, I visited the cannery of the Alaska Packers' Association at that place and then proceeded up the lagoon to make an inspection of the mode of catching the fish. Proceeding from 5 to 6 miles up the river, or lagoon, I will state that when about halfway up the pounds and traps were encountered, and for a distance of about 2 miles it was impossible to see any portion of the waters that were not obstructed by the traps or pounds crossing each other. On proceeding farther up, the same condition of affairs existed, and at points where I judged the waters to be about three-quarters of a mile in width fences or "leaders" connected with the pounds or pots were run from either shore and so closely connected that a passage of only about 300 feet was left for the passage of boats, and this was possible only by turning in nearly at right angles, inasmuch as the lines of obstruction interlaced each other obliquely.

The numerous standing obstructions of fence and pounds in the waters of the so-called Chignik Lagoon, erected and maintained by the three fishing companies, viz, the Alaska Packers' Association, the Pacific Whaling Co., and Hume Brothers & Hume, are, in my opinion, a flagrant violation of the act of Congress of January 9, 1896, for the protection of the salmon fisheries of Alaska.

W. F. KILGORE,

Captain, Revenue Cutter Service.

H. M. KUTCHIN, Esq.,

Special Agent Treasury Department.

This is Mr. Kutchin again. He continues:

In view of all that has been written on this topic in the past, it is scarcely requisite that it should be further enlarged upon at this time. In my judgment, only the most strained construction of law, such as the defense that these obstructions are not in a "river or stream"

but in a "lagoon," can for an instant furnish even the flimsiest excuse for the existence of the Chignik situation. It really represents undisguised contempt for the attempt of the Government to protect the Alaska salmon fisheries, for the system has been persisted in in the face of the protest of every official who has ever visited Chignik Bay, and despite the fact that most of the fishermen privately acknowledge that their methods violate the spirit of the law, I most emphatically pronounce the use of these traps an odious exhibition of lawlessness and do not hesitate to declare that if the Government is powerless to suppress the practice, it is equally powerless to enforce any part of the salmon law and would consult its own dignity by foregoing any further effort in that direction.

That is the opinion of an investigator, written in 1899. The same conditions obtain in Chignik Bay to-day almost exactly as they did at the time he visited them. The traps are placed in what they are pleased to call a lagoon. It is a river. The tide ebbs and flows there, but essentially it is a river.

There are to-day 9 traps in this lagoon, whereas there were 19 when Mr. Kutchin was there, but the 9 traps catch just as many fish as the 19 ever caught, and the cannery people discovered that except during the closed season the 19 traps caught every fish that was swimming, and they also discovered that they could catch them just as well with 9 traps as with 19. Accordingly they entered into an agreement whereby each company would operate three traps, and later on they entered into an agreement that regardless of the catch all the fish caught would be divided evenly.

Mr. McKEOWN. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. McKEOWN. What effect would the gentleman's amendment have on False Pass?

Mr. SUTHERLAND. It would take out 25 per cent of the traps in the vicinity of False Pass; at least that is the testimony before the committee.

The gentleman from Washington [Mr. HADLEY] and myself visited Chignik Lagoon this past summer. We traveled from Chignik Bay proper up the river and through the lagoon, where the traps were located. Our boat had to steer a zigzag course. The traps extended from either side of the lagoon or river, and when a boat is passing up it must go around the head of one trap, then to the other side and around the head of another trap. As a consequence every fish coming into that river is caught—or virtually every fish—during the season that is unclosed, or the open season.

Now, one trap which the gentleman from Washington and myself passed was 6,000 feet in length; that is, it would extend, if it were placed on Pennsylvania Avenue, from the Peace Monument to the Treasury Building, and it would span the Potomac River twice in the vicinity of the Southern Railroad Bridge. I tell you that fact in order to call your attention to this: That those traps in Alaska are not the miniature appliances we see on the Atlantic coast, but they are mammoth fishing contrivances.

The fish of Chignik Bay have been destroyed. It was one of the greatest salmon streams in Alaska, if not in the world. This season 216,000 fish, by actual count, escaped, and about 850,000 were placed in cans. The 216,000 have escaped to replenish a supply of fish which, under normal conditions, would be about 5,000,000 or 6,000,000, for that is a very low estimate of the number of fish that would be found in Chignik Lake under normal conditions. That stream is absolutely destroyed. There has not been a net or seine within 50 miles of Chignik River for the past 10 years, and, I think, for the past 15 or 20 years. It is strictly a country monopolized by traps. The traps catch every fish that runs in the open season, and there is no room to operate a seine or a gill net.

Now, I want you to have in mind something of the immense size of the traps to which I have called your attention, driven with piles. Some of these piles are as long as 120 and 125 feet and they are driven where the depth of the water is between 90 and 100 feet.

I want to read you an affidavit which has reached me since the sessions of the Committee on the Merchant Marine and Fisheries. This is an affidavit signed by 18 of the cod fishermen of western Alaska. Each and every man is the owner of a cod-fishing station, and one man is the representative of the largest cod-fishing concern on the Pacific coast. They sent me this statement, certified to by a notary public:

We, the undersigned citizens of Alaska, hereby most respectfully wish to call your attention to the appalling destruction of all kinds of food fish destroyed by the salmon traps throughout Alaska. We want to point out the fact that after the salmon season is over the trap wire is still left standing, and anyone that passes these traps can see hundreds of fish of all kinds hanging in the meshes. Most of us have

examined the traps at Pavlof Bay, Coal Bay, Marzovia Bay, and the False Pass, and we have seen silver salmon, trouts, steelheads, halibut, silver hakes, and codfish, and even fur seal, hair seal, and sea lions, hanging in the wire web left standing after the season is over. Now, taking one salmon trap for example, we will take the trap at Kellys Rock, located at the southeast point of Unga Island, as being a fair example of all the rest of the salmon traps, and we, the undersigned, believe in giving the following figure as a fair estimate of red salmon destroyed during the season of 1922-23 of about 150,000. And we also want to point out the fact that this trap, for one, is situated right on one of the best codfish grounds there is in the whole Shumagin Island and right in front of the best codfish station to be found anywhere—

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Tennessee. Mr. Chairman, I yield the gentleman 20 additional minutes.

The CHAIRMAN. The gentleman is recognized for 20 additional minutes.

Mr. SUTHERLAND (reading)—

and owing to this trap being placed across a channel the fishermen now have to go all of a mile out of their way to reach their fishing grounds. The amount of codfish thrown out of this trap during the salmon-canning season is past all estimate; salmon being the best bait for cod, it follows as a matter of course that millions of codfish will get caught in these traps, and, as there is neither law nor rule to prevent, the trap crew will simply pitch the best food fish there is to be found in any waters overboard and left to rot and pollute the feeding ground for our best food fish, and one of the most dependable resources that Alaska has got.

That is signed by these men and certified to. Now, unfortunately that trap would not be removed under this amendment. It is one of the most destructive traps in Alaska, but it is located outside of bays and estuaries and not within a mile of any stream, as provided in the amendment.

Mr. WATKINS. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. WATKINS. If the gentleman's amendment is carried, would it not have this effect: Would it not jeopardize and practically destroy the millions of dollars invested in Alaska; and, second, would it not increase the cost of packing canned salmon, which will naturally appear in the cost to the consumer? I wish the gentleman would discuss that point.

Mr. SUTHERLAND. No, sir; it will not increase the cost of salmon, but it will uphold human rights as against money rights. All that has been discussed in this question has been that of dollars. They came before the committee and said those traps represented a value of \$20,000,000; yet the book accounts of the Federal Trade Commission, as shown in their report in 1917, indicate that the entire trap industry on the Pacific coast is valued at only \$3,000,000.

Mr. RAKER. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. RAKER. I have been receiving a lot of telegrams in regard to this bill—for instance, from the Bristol Bay Packing Co., the Alaska Salmon Packing Co., the Griffin Durney Co., and the Northern Pacific Trading & Packing Co. Why are they so opposed to your amendment?

Mr. SUTHERLAND. Because they probably have a trap or two in one of the streams.

Mr. RAKER. Would the taking out of the trap, so the fish could be properly cared for, really seriously diminish the proper business that ought to be done there in fisheries?

Mr. SUTHERLAND. Certainly not. It does not destroy their right to fish. They still exercise the right of fishing with the same gear that the neighborhood uses. They are not affected in any way except that this exclusive privilege is denied them and they are placed on the same basis as the other canneries.

Mr. LINTHICUM. If the gentleman will yield, I will say to the gentleman in regard to the expression he used that it is a question between the money interests and the public interests; that same thing prevails in my State of Maryland in reference to the fisheries, to the great depletion and almost the entire elimination of the food fish.

Mr. SUTHERLAND. Yes, sir; and the opposition to restrictive measures has always come from these investments.

Mr. SUMMERS of Washington. Can the gentleman assure us that his amendment gives everybody a square deal in Alaskan waters?

Mr. SUTHERLAND. Yes; there is no question about that.

Mr. BLANTON. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. BLANTON. The gentleman, I am sure, does not favor monopolies.

Mr. SUTHERLAND. Not at all.

Mr. BLANTON. I would like to be assured by the gentleman that any American who wants to can become a fisherman there without joining some particular designated union; is that the case?

Mr. SUTHERLAND. I wish I had the time to dwell on that.

Mr. BLANTON. That is one of the main objections to the gentleman's bill, if there is any objection.

Mr. SUTHERLAND. The fact is that the seine fisherman has never yet been controlled by a union. He probably never will be. The seine fisherman of Alaska is an Indian in almost every case, and he is not connected with unions.

Mr. BLANTON. And there is no attempt to make them join a union in order to be a fisherman?

Mr. SUTHERLAND. Not at all.

Mr. MACLAFFERTY. Will the gentleman yield?

Mr. SUTHERLAND. Yes; I yield to the gentleman from California.

Mr. MACLAFFERTY. Does the gentleman from Alaska claim that the canneries that are in Alaska to-day could be operated without the use of devices of this kind for catching fish?

Mr. SUTHERLAND. Yes; absolutely. There is no question about that. The canneries in California operate without them, and why not in Alaska?

Mr. MACLAFFERTY. What would be the plan adopted? I might say that the canneries in California are very few compared with those in Alaska.

Mr. SUTHERLAND. The canning of tuna fish has become a very large industry in California.

Mr. MACLAFFERTY. But I am talking about salmon. Could the canneries in Alaska to-day be operated without the use of devices of this kind, and, if they could, what devices would be used for keeping them supplied with fish?

Mr. SUTHERLAND. The seine and gill nets.

Mr. MACLAFFERTY. Purse seining?

Mr. SUTHERLAND. Purse seining.

Mr. MACLAFFERTY. Is the gentleman in favor of purse seining?

Mr. SUTHERLAND. Where it can not be eliminated.

Mr. MACLAFFERTY. Does the gentleman think that purse seining is as harmful to the fish as the use of traps?

Mr. SUTHERLAND. They are not nearly so harmful as traps. I will read the testimony of scientists on that question, and you do not have to take my opinion on that.

Mr. MACLAFFERTY. I wish the gentleman would describe the method used in purse seining.

Mr. RANKIN. Before the gentleman reads that testimony, I would like to ask him a question.

Mr. SUTHERLAND. I yield to the gentleman from Mississippi.

Mr. RANKIN. A day or two ago, in a colloquy between the gentleman from Washington [Mr. HADLEY] and myself, he stated, if I remember correctly, that the waters in southern Alaska—and I suppose that means around Ketchikan and St. Petersburg and that locality—

Mr. SUTHERLAND. Yes.

Mr. RANKIN. Is clear, and therefore gill nets can not be used.

Mr. SUTHERLAND. Gill nets can not be operated to advantage in clear water.

Mr. RANKIN. And the gentleman said that if these traps were taken out they would have no way then of catching these fish except by these purse seines, which some of them contend are more destructive than the traps.

Mr. SUTHERLAND. No; that contention is not borne out by the testimony. I would do away with purse seining if I could, but I realize it is an impossibility to catch the required amount of fish unless you have either the trap or the seine, and the seine is the preferable appliance.

Mr. RANKIN. But, as I understand you, it is a fact that gill nets can not be used successfully in southern Alaska where the salmon are most plentiful?

Mr. SUTHERLAND. No. Of course there are some streams that are more or less turbid where they use gill nets, but usually those streams are very clear and gill nets are not practicable.

I now want to read you, from the American authority on traps, David Starr Jordan, formerly of Leland Stanford University. Doctor Jordan was the head of a commission appointed by President Roosevelt for the investigation of the Alaskan fisheries, and this is what he says regarding traps:

The problem of the use of traps in the large streams and their estuaries is a most difficult one. If we are to consider the ultimate interests of Alaska and the permanence of her salmon fisheries, no trap



should be allowed anywhere. They are most harmful where most successful, especially in the following streams. (From page 29, Report of Special Commission, 1903, Jordan and Everman.)

The recent history in this district (Bristol Bay) has shown a constant movement out of the estuaries into the upper rivers, nearer and nearer to the immediate spawning grounds of the salmon. (Page 23, Jordan and Everman.)

I believe also that fixed traps or pounds ought to be eliminated from Alaskan waters. They involve the automatic destruction of more fish than the rivers can stand. As a first step toward a larger end I should favor the removal of the fixed trap from the Nushagak, which is the largest of the Bristol Bay rivers. (From Doctor Jordan's letter to Secretary of Commerce Strauss, December 9, 1907.)

This is from Doctor Jordan's letter to Mr. I. N. Hylen, of San Francisco, dated October 23, 1907, which is much more recent:

I am to be in San Francisco on Saturday forenoon, say from 10 or 11 until 12 o'clock. I will take pleasure in calling on you at 93 Stewart Street. As I have repeatedly said, I believe that the interests of the fisheries demand the removal of all stationary traps and pounds.

It is evident to anyone acquainted with the conditions in Bristol Bay that the operation of traps is in no wise essential to the profitable continuance of the industry.

That is from Dr. David Starr Jordan, I will say in answer to the gentleman from California.

Mr. MACLAFFERTY. I will say to the gentleman that he does not answer it entirely to my satisfaction, although I may be wrong, and probably am.

Mr. SUTHERLAND. Doctor Jordan says, "The operation of traps is in no wise essential to the profitable continuance of the industry." I would say to the gentleman that that is as clear as I could possibly express it.

Mr. MACLAFFERTY. I would say to the gentleman that Doctor Jordan does not pretend to be a business man, although he is a good executive.

Mr. SUTHERLAND. No; the men who want the traps put in the streams are business men. Doctor Jordan takes the view of the scientists that they should be removed from the streams.

Mr. MACLAFFERTY. Yes.

Mr. SUTHERLAND. I am giving the opinion of practical men myself as to their removal.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. WHITE of Maine. Without regard to this amendment, which the gentleman is offering, it is true, is it not, that the bill specifically prohibits fishing by any means in streams?

Mr. SUTHERLAND. Oh, yes; within the streams up to a certain point, but not within the estuaries or the bays.

Mr. BARBOUR. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. BARBOUR. If the gentleman's amendment is adopted, it will mean the placing of these traps farther out from the mouth of the streams?

Mr. SUTHERLAND. Yes; out in the ocean.

Mr. BARBOUR. Just how far out?

Mr. SUTHERLAND. It provides they shall be 3 miles outside of any 3-mile bay or estuary.

Mr. MACLAFFERTY. In other words, that would make it inoperative, would it not—to be 3 miles out?

Mr. SUTHERLAND. No. Most of the traps are out there now. I will bring that to your attention in a moment.

Mr. BARBOUR. Will the gentleman yield for a further question? If you place your traps 3 miles out in the ocean and you have purse seining all around it in that open space, is it not going to reduce the number of fish or deplete the supply of fish just as much as though you had the traps across the stream there?

Mr. SUTHERLAND. No; because the fish are not concentrated until they get into the estuary.

Now I want to read an extract from the report of Jefferson F. Moser, commander, of the United States Navy, in command of the U. S. S. *Albatross*, investigating fisheries in Alaska. He says:

Traps used extensively in the Bristol Bay district are a subject for criticism throughout Alaska. They are expensive to build and maintain but have many advantages to the canner. The great benefit of a trap is not only that it fishes both day and night, but if the run is heavy for a few days and the cannery fully supplied by the gill netters the fish in the trap can be held for a time until the catch of the gill netters is slack. These advantages have frequently led the trappers

beyond the limits of the law, and the time has come when the use of traps must be regulated and the law enforced, or else they must be abolished.

Having in mind now the whole of Alaska, it is my opinion that if this be not done it will work a great injury to the fisheries.

Fish are plentiful this year, and the gill netters were able to supply most of the fish used. It was said on this account that traps took more fish than were wanted, and that they were frequently opened to let the impounded fish escape. This statement may be true, but there never was a cat that held a mouse with more tenacity than a cannery man holds a salmon, and it is doubted if a salmon of choice species is ever allowed to escape as long as it is fit to put inside of a tin can.

Traps catch not only all the salmon wanted, but all other species of salmon and other fish not wanted. Practically all fish taken in the traps except redfish are waste, and until one sees the tons of this waste product one can not realize the magnitude of this giant octopus that grasps everything in its tentacles. (From pp. 180, 181, 182.)

My opinion of traps has been expressed and the waste from them referred to, but as a further illustration of this trap waste a single occurrence related to me may be given: A lighter having a capacity of 45 tons, and having nearly that amount of fish aboard was towed to a cannery, where the species desired for canning, amounting to about 6 tons, was removed, and the rest, consisting of cod, tomcod, halibut, flounders, sculpins, dog salmon, trout, etc., were waste. (From p. 218.)

I also read this from John McNabb, inspector of fisheries for British Columbia, in a letter dated December 18, 1896:

Why do the laws prohibit fishing for salmon with traps and wheels? Because they are so destructive to young or immature fish, and also to varieties of fish which are valuable but are not to any great extent utilized by the canneries or salmon fishermen, and are thus a very destructive agency.

Mr. McKEOWN. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. McKEOWN. I would like to have the gentleman explain the difference between the purse seine and the traps.

Mr. SUTHERLAND. Captain Moser says that the fishing by traps is continuous day and night, silently, and it fishes to the bottom. The portable seine can only fish on the surface of the water. The silent trap has not alarmed the fish. You can not operate a seine, you can not dip the oars in the water; the sound of a propeller and the motion of the boat serves to alarm the fish, and they disappear. There is always an opportunity to escape with the portable fishing gear.

Mr. CRISP. Will the gentleman yield?

Mr. SUTHERLAND. I will yield to the gentleman from Georgia.

Mr. CRISP. I know that there must be some conservation thrown around these fisheries, and the gentleman is an expert. I want to ask him what attitude the Department of Commerce has toward his proposed amendment?

Mr. SUTHERLAND. The Department of Commerce thinks the regulatory power ought to be left entirely in its discretion.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. WHITE of Maine. Is it not true that under the power given the Secretary of Commerce by the bill in all cases where they think it proper to do so they can prohibit the use of traps?

Mr. SUTHERLAND. Yes; but, judging from past experience, they never will. With this, all they will have to do is to make the line to which seine fishing is to be conducted.

Mr. McKEOWN. Will the gentleman yield?

Mr. SUTHERLAND. I will yield.

Mr. McKEOWN. Is it not a fact that purse seines operated by motor boats are nearly as destructive to the fish as traps?

Mr. SUTHERLAND. Oh, not nearly so. I have had experience in that, and I know all about it. With the portable fishing gear the fish are easily alarmed. There was an expert before the committee last year who stated that in the entire 24 hours the seine would operate 55 minutes—that is, in fishing.

Mr. RAKER. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. RAKER. The gentleman's amendment was in the bill that was reported last year by the committee?

Mr. SUTHERLAND. Yes.

Mr. RAKER. Will the gentleman tell the committee why the committee reported it last year and did not report it this year?

Mr. SUTHERLAND. I believe the committee wanted to get the bill on the calendar at this time. They were in a hurry, and therefore they did not go into the discussion of it. I do not think the subcommittee did, and I do not think the entire committee discussed it after the hearings. There was no consideration of it in executive session to my knowledge.

Mr. RAKER. I can not quite get the gentleman's point of view. What had the getting of the bill on the Calendar to do with leaving out that which the gentleman stated was reported favorably the year before?

Mr. SUTHERLAND. I reserved the right to amend when it was reported as did the gentleman from California [Mr. FREE].

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. DAVIS of Tennessee. I will suggest that there was practically a unanimous agreement in the committee on all the other provisions of the bill which goes beyond the present law, but there was a controversy over this, and they agreed to report the bill out and then the gentleman could offer his amendment on the floor.

Mr. SUTHERLAND. Now, let me read another extract from David R. Jordan's report wherein he recommends this legislation at that time. He says:

No trap or pound net, floating or fixed, should be permitted within 1 mile of the mouth of any stream less than 500 feet wide, flowing from a lake or having a lake tributary to it. The head of each stream of this class the Bureau of Fisheries shall mark in some conspicuous way the point above which fishing with the net shall not be allowed. Until so marked no fishing shall be permitted within 100 yards of the point of discharge of such a stream at mean low water.

The point involved there is that you never find the red salmon spawning in any place but in a lake. The pink salmon and other fish go into lake streams and any stream that runs into the ocean.

Mr. O'CONNELL of Rhode Island. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. O'CONNELL of Rhode Island. The amendment proposed by the gentleman is intended to be a further restriction than that provided by the bill?

Mr. SUTHERLAND. It is a further restriction—that is, it does the work by legislation that the Bureau of Fisheries ought to do, and that, I believe, they know they ought to do.

Mr. O'CONNELL of Rhode Island. Is it not a fact that if this provision is made mandatory rather than left to the discretion of the department, these traps farther out can still catch a large number of salmon, but their catch will be from fish which inhabit or which are on their way to different streams, whereas, if they are closer to the mouths of the streams the catch is limited altogether to the fish which are going to a particular stream, and which will exhaust the fish in that stream, and there will then have to be artificial methods of restocking used.

Mr. SUTHERLAND. Yes.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. RAKER. I understand now from the gentleman's statement, verified by the gentleman from Tennessee [Mr. DAVIS], that as a matter of fact the gentleman's amendment was not voted down in the committee.

Mr. SUTHERLAND. It was not.

Mr. RAKER. It is now before the Committee of the Whole to act upon it and use its judgment as to what should be done?

Mr. SUTHERLAND. Yes. I did not urge its adoption by the committee. If I were bringing something new in fishery law before the House I might have some difficulty in defending this measure, but this method has been adopted, I think, by virtually every country in the world. Most of the fishing countries eliminated the traps altogether, and all of the great fishing countries of the world dispensed with the trap entirely. Many of the States have seen fit to keep these appliances out a distance, approximately the distance that I would have applied in this provision. I read now from the law of the State of Virginia, section 3173, of the Code of Virginia:

It shall be unlawful to set or fish any pound net within the York River, above a line drawn from Clay Bank, in the County of Gloucester, to a point directly opposite on the other side of the river.

The distance there at that point is about 3 miles. The estuary of the York River extends about 17 miles beyond onto where fresh water commences. The law goes on—

Poguosin River, Black River, Chickahominy River, Elizabeth River, or Nansemond River, or any of the tributaries thereof, or in the James River above a straight line drawn from Blunt Point in Warwick County, to the mouth of the Smithfield Creek, in Isle of Wight County.

The estuary of the James River continues for almost a hundred miles beyond that point up to Richmond, and where the line is drawn, the distance is about 4 miles across.

I read now from the law of British Columbia. I have a letter from the minister of fisheries of British Columbia, and in it he says:

There are no exclusive rights granted by the Government of Canada for the British Columbia fisheries. The policy of the department was changed commencing with the year 1920 and at the present time no one is entitled to privileges which are not extended to all resident white British subjects or Canadian Indians. Even in the case of traps, which are limited to the waters contiguous to those of the State of Washington on the south and Alaska on the north, the privilege is not an exclusive one, but any resident white British subject would be granted a license if he felt that he had found a site justifying operations in the waters mentioned. Between the northern and southern boundaries of the Province, however, no salmon traps are permitted to anyone.

There is a distance of 600 miles, and on the south and the north boundaries they are permitted the use of traps simply in reprisal against our people. They say that we destroyed the fisheries of the Frazier River by trap fisheries, and they made overtures repeatedly to the government of the State of Washington to cease that method of fishing, but it kept up until the fish were entirely destroyed.

Let me read now from the law of California. California eliminated traps:

Every person who shall set, use, or continue, or who shall assist in setting, using, or continuing any pound, weir, set-net, trap, or any other fixed or permanent contrivance for catching fish in the waters of this State, is guilty of a misdemeanor.

That is the law of the State of California. That law was reenacted into the constitution of the States which guarantee the common right of fisheries. But I shall go beyond the law of California. I appeal now to section 33 of the Magna Charta.

In the time of King John traps were a nuisance in the estuaries of England, just as they are to-day in Alaska, and it became necessary for the barons to demand the removal of these traps from the Thames and the Medway Rivers and from all England, except on the seacoast. All you have to do is to take a chart of the coast of England, to know that they drove the traps much farther seaward than this amendment would provide.

The people of Alaska are asking Congress to reenact section 33 of Magna Charta for the maintenance of fishing rights, and in so doing they are not asking very much of Congress. [Applause.]

Mr. LAZARO. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BRIGGS].

Mr. BRIGGS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BRIGGS. Mr. Chairman and gentlemen of the committee, this bill is one of the most important pieces of legislation which I think the Congress is to consider. It deals with a great industry in Alaska, that great Territory of 590,000 square miles acquired by the United States from Russia in 1867 at the purchase price of \$7,200,000. It deals with the greatest salmon fisheries perhaps in the world, salmon fisheries that last year alone produced salmon of the value of over \$36,000,000, which was five times the amount paid to Russia for the whole Territory, with its vast mineral and other wealth. The United States has therefore gotten back so many times the purchase price of Alaska through the fisheries alone, and the salmon fisheries supply so many people of our Nation, including Alaska, with food that it is well worth while that this Congress consider a proper conservation measure for those fisheries.

Now, the Committee on the Merchant Marine and Fisheries have for several years been endeavoring to bring out legislation or proposed legislation which would be acceptable to the Congress and which could be enacted into law so that these fisheries might be conserved. The very packers themselves, the cannerymen there, realize that unless something is done, and done soon, there will no longer be any salmon caught in Alaska. The figures which have been submitted indicate that the depletion going on now is, perhaps, from 35 to 50 per cent in the last 10 years.

The Commissioner of Fisheries testified at the hearings on this bill that—

Alaska was purchased from Russia in 1867, and at that time the fisheries were established only in a small way. To-day they form the most important natural resource of the Territory. The great value of this industry has been its undoing, for the vigor with which



fishing has been prosecuted has resulted not only in its serious decline but in some instances in its practical annihilation.

The first canning operations began in Alaska in 1878, at which time only 8,159 cases were packed. The peak year was reached in 1918, when 138 canneries packed over 6,000,000 cases, valued at more than \$50,000,000.

It is not necessary to present an extended array of figures to demonstrate that the salmon runs of Alaska have already suffered severe impairment. We are safe in saying that not a single fishing district is now capable of producing even approximately the number of salmon it formerly furnished. Certain districts are so seriously menaced that it would be wise to close them for a term of years until increased spawning had reestablished the runs. All of those who have entered the controversy concerning a wise and efficient method of administering the salmon fisheries of Alaska are a unit in contending that depletion has already occurred and that utter destruction of the industry will follow if remedial measures are not promptly taken. The salmon packers are always among the last to acknowledge that overfishing is having its inevitable result, but, as regards Alaska, they also have joined the ranks of those who agree that immediate action is imperative.

As examples of districts which have suffered severely from overfishing, we may instance the following:

1. Cook Inlet: The average annual pack of salmon for the five years, 1914 to 1918, was over 190,000 cases. The average pack in the succeeding five years, 1919 to 1923, was only 103,000 cases. This showing is made all the more striking when it is considered that the number of canneries operating during the last period of five years had increased from an average of five to an average of seven.

2. Copper River: The average catch in the Copper River district for the four years 1916 to 1919 was 989,000 salmon. In the following four years the average had dropped to 497,000 salmon, or to slightly more than half the average for the previous four years.

3. Karluk River: Since 1882 this river has been recognized as one of the most prolific red salmon streams in Alaska. It is still a valuable producer, but gives unmistakable evidence of failure to yield in recent years the salmon harvest of which it is capable.

For the 20 years from 1888 to 1907 there was an average annual yield of 186,000 cases of red salmon. For the last 16 years, 1908 to 1923, the average annual yield fell to 91,000 cases of red salmon. One-half the value of this river has been lost through too intensive fishing, and should be restored by measures which will increase the spawning reserve.

4. Southeast Alaska, north of Frederick Sound: This district has universally been recognized as witnessing depletion in the last few years. The average pack for the six years from 1914 to 1919 was 934,000 cases, and for the following four years, 1920 to 1923, 580,000 cases. During the same two periods the average packs of red salmon in this district were 106,000 and 70,000 cases. This exhaustion of the salmon supply has rendered nearly valueless a number of large canneries.

It is obvious from the foregoing statements that the salmon fisheries of Alaska are seriously menaced and require immediate protection if they are to be saved from destruction.

This matter, therefore, is something that is very imperative, something that demands attention so urgently that the late President of the United States took it upon himself to issue Executive orders extending the jurisdiction of the Department of Commerce and the Bureau of Fisheries over the Territorial waters of Alaska and bringing such waters under conservation control. You gentlemen may not know it, but under the existing law the only power the Department of Commerce has over Alaskan fisheries extends only 500 yards beyond the mouth of the streams of Alaska. Except in one or two instances salmon are not being caught in any of the streams of Alaska. They have been fished out, with the exception perhaps of the Ugashik and Karluk Rivers.

The fish are in the bays and inlets that extend from 50 miles to a hundred miles inland from the coast line of Alaska, and it is there the fish are taken. The Department of Commerce in regulating the taking of fish has been practically impotent until recently, when the Executive orders were issued. The Executive orders are, in my opinion, of questionable validity. They can not be effectively enforced, because no penalties are provided for their violation, as the Department of Commerce has testified; and unless you gentlemen enact some legislation, and enact it mighty soon, there will be no salmon in Alaska to regulate.

Mr. BLANTON. Will the gentleman yield?

Mr. BRIGGS. Certainly.

Mr. BLANTON. I am for the gentleman's bill, but does the gentleman think there is any necessity whatever of passing the Sutherland amendment?

Mr. BRIGGS. I will say this in relation to the Sutherland amendment: If there is one thing that will prevent legislation on this subject, it is the question of whether trap fishing be abolished or not. It has been a point of controversy of the greatest difficulty and has been the cause of the greatest trouble in arriving at a solution of the conservation problem. It is quite true that the committee in the last Congress reported a measure here which practically eliminated all trap fishing; but it is also true that the bill, after it was reported to this Congress, never saw the light of day because the opposition to it was so strong. In my opinion, that is the reason it died upon the calendar in this House.

Mr. WHITE of Maine. Is it not true in that connection that when that bill was reported last year with a prohibition against traps there was a minority report by quite a substantial number of members of the committee?

Mr. BRIGGS. Absolutely.

Mr. WHITE of Maine. Because of the inclusion of the trap prohibition?

Mr. BRIGGS. I will say I think it was due to that fact alone that we got no legislation on this subject, though I favored such trap prohibition.

Mr. BLANTON. There is no question in the world but what the Sutherland amendment will prevent many Americans from fishing, and it will permit only a limited few—

Mr. BRIGGS. I will say in reference to trap fishing that it is my personal opinion trap fishing is a very detrimental form of fishing; and the testimony also elicited that purse-seine fishing is also subject in Alaskan waters to serious criticism and is regarded by many as very detrimental, too. In fact, one of the witnesses from Alaska at the hearings on the former bill testified there really ought to be, in his opinion, absolute conservation, but that there would be an extermination of the natives of Alaska if fishing was not allowed in some form.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BRIGGS. I will.

Mr. MOORE of Virginia. Is it not frank to say that except for opposition of the great canners and packers there would have been legislation long ago for the purpose of conserving the fisheries of Alaska?

Mr. BRIGGS. Well, I am disposed to believe that. The canners have come before the committee time after time, except a few who have a pack of about 100,000 cases, and advocated a bill for the regulation of the conservation of these fisheries; but they also consistently advocated the use of traps and claimed a possessory right in the trap fishing in Alaska. They claim no title against the Government. They say they do not insist they have a title, and admit that they are only exercising a privilege; but they assert the courts have declared such privilege is good as against anybody else except the Government.

Mr. MOORE of Virginia. In other words, they blow hot and cold, and the result is that we have had no effective legislation?

Mr. BRIGGS. The result may be you will be without any legislation as long as this question is one of such a highly controversial character as it is, and attempts to suppress it in this bill may perhaps jeopardize every bit of regulation for the conservation of Alaskan fisheries.

Mr. O'CONNELL of Rhode Island. Will the gentleman permit one question?

Mr. BRIGGS. I will yield to the gentleman on the committee.

Mr. O'CONNELL of Rhode Island. Is it not true in this same connection that this particular bill recognizes the right of free fisheries, which is claimed by a great many has been abrogated under the law as it is now at the present time?

Mr. BRIGGS. Why, undoubtedly. I want to read this to the Members of the committee. This bill provides that the Department of Commerce has power in the conservation measures employed by that department to prohibit fishing in any zone where it is felt necessary to do so, to regulate the kind of fishing device, traps, gill nets, seines, or anything else. Not only that, but it provides that wherever it allows limited fishing in certain areas that that fishing shall be open to everybody, and that nobody shall have any preference or any preferred rights therein. This bill says:

*Provided, That every such regulation made by the Secretary of Commerce shall be of general application within the particular area to which it applies, and that no exclusive or several right of fishery shall be granted therein, nor shall any citizen of the United States be denied the right to take, prepare, cure, or preserve fish or shellfish in any area of the waters of Alaska where fishing is permitted by the Secretary of Commerce.*



Mr. WATKINS. Has the gentleman time enough to yield to me for a question?

Mr. BRIGGS. I have not the time, but I will yield.

Mr. WATKINS. In view of the fact that the different conditions up there would naturally require varying and different treatment, would it not be better to leave this matter in the hands of the department as they want it left?

Mr. BRIGGS. That is where the bill leaves it now.

Mr. WATKINS. But the Sutherland amendment takes it out?

Mr. BRIGGS. Yes. The Sutherland amendment follows the plan of the old bill. If this measure gets into the controversial stage that it has been in in the last few years you may not have any remedial legislation at this session of Congress.

I want to refer just a moment here to some of the figures that the Bureau of Fisheries submit, showing how many fish have been caught by various devices from 1917 to 1922, covering the last 15 years. I read:

*Catch of salmon in Alaska from 1917 to 1922*

| Year  | Seines      | Gill nets   | Traps       | Lines     | Spears  | Dip nets  | Wheels  | Total       |
|-------|-------------|-------------|-------------|-----------|---------|-----------|---------|-------------|
| 1917  | 15,312,032  | 11,096,946  | 8,446,956   | 24,134    | 20,000  |           |         | 34,900,068  |
| 1918  | 15,287,851  | 17,839,661  | 10,110,478  | 62,962    | 4,000   |           | 27      | 43,204,979  |
| 1919  | 9,633,061   | 16,980,717  | 7,920,824   | 142,606   | 15,400  |           |         | 34,692,608  |
| 1920  | 12,268,163  | 13,084,048  | 8,046,215   | 210,823   | 70,000  |           |         | 33,679,254  |
| 1921  | 20,497,232  | 10,747,814  | 12,466,836  | 211,509   | 62,482  |           |         | 43,975,873  |
| 1922  | 18,379,553  | 22,424,571  | 19,921,156  | 213,011   | 654     |           |         | 60,938,945  |
| 1913  | 18,287,666  | 21,949,497  | 19,219,939  | 370,278   | 1,550   | 86,200    |         | 59,915,128  |
| 1914  | 14,890,901  | 22,469,678  | 16,902,538  | 322,798   |         | 60,000    |         | 54,651,915  |
| 1915  | 18,631,725  | 17,489,138  | 26,918,165  | 804,852   |         | 193,364   |         | 63,537,244  |
| 1916  | 25,725,808  | 21,620,517  | 23,982,614  | 582,317   |         | 144,715   |         | 72,055,971  |
| 1917  | 29,381,979  | 26,310,785  | 36,091,649  | 726,182   |         | 89,900    |         | 92,600,495  |
| 1918  | 29,980,747  | 28,213,025  | 41,725,805  | 731,991   |         | 220,078   | 577,042 | 101,454,688 |
| 1919  | 21,298,933  | 11,091,052  | 24,640,507  | 1,003,730 |         | 106,691   | 23,662  | 58,172,665  |
| 1920  | 17,367,548  | 12,753,790  | 34,414,664  | 411,230   |         | 133,277   | 40      | 65,080,539  |
| 1921  | 6,967,214   | 17,764,111  | 12,322,287  | 783,138   |         | 66,641    | 2,200   | 37,905,591  |
| 1922  | 16,531,054  | 25,614,492  | 29,527,729  | 675,525   |         |           | 21,600  | 72,370,400  |
| Total | 290,453,472 | 297,449,842 | 332,658,452 | 6,777,074 | 164,086 | 1,103,866 | 629,291 | 929,236,383 |

The bill before you should be promptly enacted into law. The people not only of Alaska but the American people generally are vitally interested in the preservation of the great Alaskan salmon fisheries, for if they are destroyed one of the finest of fish foods and one greatly depended upon by almost every household in the land will forever disappear.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Louisiana [Mr. LAZARO] has used 1 hour and the gentleman from Massachusetts 46 minutes. The gentleman from Massachusetts has 14 minutes remaining.

Mr. GREENE of Massachusetts. I yield to the gentleman from Washington [Mr. HADLEY] 14 minutes.

The CHAIRMAN. The gentleman from Washington is recognized for 14 minutes.

Mr. HADLEY. Mr. Chairman, I regret that the time is so limited that I shall not have opportunity to enter upon a full discussion of this very involved and comprehensive subject, such a discussion as I would like to indulge in. But I am so vitally interested, as a citizen and as a Member of the House, in some effective legislation for the protection and preservation of the Alaska fisheries that I take the opportunity to make a brief statement, such as the time will permit. Perhaps in view of the fact that I shall not be able to discuss all the facts, I should in a way qualify in the first instance and then state conclusions, because that is all I can do in this brief time.

I served four years as a member of the Committee on the Merchant Marine and Fisheries during my early service here, and I know the difficulties they have had to contend with in arriving at a concurrent agreement among their membership on this subject; and I am glad that they have been able to reach such a conclusion as gives promise of legislation in the form they have expressed in the bill.

For 30 years or more I have known the salmon's life and the salmon industry on the Pacific coast. I have observed it personally along various sections of the coast. I knew that this was a very important piece of legislation which would be considered at this session, and I took advantage of the opportunity last year to supplement such information as I had formerly gleaned upon the subject by making a trip to Alaska, to which the Delegate from Alaska [Mr. SUTHERLAND] made reference a few moments ago in his speech, although I made a very much broader tour of the fishing grounds of Alaska than would be embraced in the sections to which he refers. I visited practically every important fishing district in Alaska and looked over the operations both in the water and on shore.

I inspected every type of gear and fishing appliance, fixed or floating, then in use. I examined the shore stations and the management. I talked with the people of Alaska, the little interests and the big interests alike, with all classes with whom we came in contact, and we made it our business to come

in contact with them. We went up fishing streams and spawning streams. We took a small boat and went up the streams, and then with rubber boots we waded up the shallower portions of the stream and through the brush, following the salmon on their returning course to the place of their birth, there to spawn and die.

I went to the Bristol Bay fisheries in the first instance, and returning by Unalaska, following up the southwestern coast of the Alaska Peninsula, stopped all along the line of the fishing centers, both upon the peninsula and the islands, through central Alaska into southeastern Alaska.

I make this statement merely for the purpose of indicating that I have some personal knowledge of the situation as it exists now on the ground, and having that information in mind, I wish to state that I unqualifiedly approve of the basic policy of this bill; that policy expressed particularly in the first section, which contemplates reposing in the Department of Commerce the absolute discretion and control of the fisheries of Alaska, under which authority they will be able to set aside and reserve fishing areas, under which they will define the type of gear, and under which they may permit seine fishing or gill-net fishing or trap fishing, all classes of fishing, or they may limit it, or they may exclude one type or the other. They may control the size of the catch and direct what steps shall be taken to promote the perpetuity of the source of supply, and to conserve this great Alaskan industry not only as an industry for Alaska but for the whole country.

But when you undertake to withdraw that power which the bill lodges in the Secretary of Commerce with respect to some classes of fishing and not as to all and to legislate directly upon methods of fishing, as proposed by the gentleman from Alaska [Mr. SUTHERLAND], you will go far toward perpetuating the intolerable situation which now exists, and very far toward perpetuating the depletion of the source of the supply.

I can not now undertake to discuss the relative merits of gear, of traps, or seines, to any considerable extent; but it has been dwelt upon by the gentleman from Alaska and is being furthered in the form of his discriminatory and confiscatory amendment. I am very stoutly opposed to that amendment. I regret that the gentleman has seen fit, in the exercise of his responsibility—with which I find no fault, except to question its wisdom—to introduce this very controversial factor into the consideration of a bill which promises a happy solution of this situation.

What the bill does is to provide that every citizen, operating whatever class of gear he may or will, is invited into the fishing areas where fishing is permitted by the Secretary of Commerce.

Mr. SUTHERLAND. Will the gentleman yield?

Mr. HADLEY. Yes.

Mr. SUTHERLAND. Does the gentleman contend that any citizen can fish with a trap?

Mr. HADLEY. I am making a general statement.

Mr. SUTHERLAND. That statement is very general.



Mr. HADLEY. Any citizen who has the facilities and has the capital may do so, but the citizen who operates a seine must also have a considerable investment to do that.

It has been stated by members of the committee—and those who have read the hearings must know—that it is a highly controversial question as to which is the most destructive method of fishing, whether by trap or by seine. The gentleman from Alaska has explained the method of fishing by traps, but he has said very little about the seine method. Briefly, it is this: They take a high-powered boat and a small fish boat and they have a seine, which they utilize by spreading it in front of the school of fish; they go out and find the fish wherever they are. The seine may be in length 600 feet, 800 feet, 1,200 feet, or 1,800 feet; the seines are of varying lengths. They drop the seine into the water and they purse it—hence the name, because it is like a great purse—from end to end and bring it together, and thus incarcerate the fish.

I went upon a boat in one part of the Alaskan trip and inspected that method specifically, although I was familiar with it on Puget Sound.

I remember when the depletion began and when the destruction of that great industry on Puget Sound reached its peak. It was not until the high-powered motor boat, with its purse-seine equipment, showed up at the entrance to the Strait of Fuca. There were many of them, and they multiplied and multiplied. They followed the schools of fish as they came into the sound, on around the shores and bays and up to the mouth of the Fraser River. They swept the fish out of the sea; they scattered and destroyed the schools, and the result was that our fishing industry was practically gone.

I do not wish to be understood as saying that the traps did not help to destroy the industry in places which were overfished, but I do say that it is discriminatory and unjust to destroy traps and perpetuate seines by law, and that under a bill such as this—which reposes in a responsible department of this great Government the power and responsibility to regulate and control, to cut down, to permit, and to prevent here and there the classes of fishing which in its judgment ought to be so regulated and controlled, having reference to the source of supply—we have the best and most feasible arrangement which can be made, and that this will assure an intelligent exercise of administrative authority which can not be realized by legislating blindly.

This Congress can not enter in a matter of this character upon legislation in detail. If I had the time to point out the picture I have in mind as to the varying conditions as they exist in Alaska, variable from year to year as they are, and varying as between separate districts in each and every year also, it would be perfectly apparent that it is useless, that it would be discriminatory, and would be destructive of the very end we have in view to undertake to provide such specific statutory remedies except by that general blanket authority and policy which under the terms of this bill is declared by Congress.

What this amendment would do would be to permit all classes of gear to fish in a given place, except one, and the one, too, upon which shore activities are in many cases largely predicated.

Mr. McKEOWN. Will the gentleman yield?

Mr. HADLEY. Yes.

Mr. McKEOWN. I ask the gentleman whether the use of a purse seine, with a high-powered motor boat, is not just as destructive in catching fish as any other gear they use in the waters?

Mr. HADLEY. That is a matter of debate and about which there is a difference of opinion; but in my judgment purse seines are more destructive than fishing by traps, and trap fishing, furthermore, is the most sanitary, most efficient, most economical, and the least difficult to control and supervise.

You can regulate a trap, but you can not follow these high-powered boats with the little coterie of men they have in Alaska to regulate and control them. They had only 25 men, I think, in all southeastern Alaska last year to control this industry in that section of the Territory. In my judgment there should have been at least 75, and it would have been far better if they had had 100. In some cases I know of two watchmen who were engaged to watch two or three streams miles apart. I have seen these seine fishermen come in close proximity to the 500-yard limit, under the existing law, and follow the fish in where traps did not exist and where the fish were racing in their last escape to their harbor of refuge; but there they were met by these seines and were caught.

Mr. LEA of California. Will the gentleman yield?

Mr. HADLEY. Yes.

Mr. LEA of California. Is it not substantially true that, regardless of what method is used to catch the fish, their preservation must depend on law enforcement?

Mr. HADLEY. That is very true.

Mr. LEA of California. And is not the real question here whether or not we shall adopt the most efficient method of fishing or yield to the rights of the fishermen engaged in the industry?

Mr. HADLEY. We should perpetuate all means of fishing so that those who have their investments and their rights, whatever they may be, can exercise them as contemplated by this bill, but controlled and regulated by the department, so that we shall have a guaranty for the future that the source of supply will be perpetuated and the industry will continue.

I regret, gentlemen, that I can not pursue this discussion. My heart is very much set upon the protection of this industry. No man here is more sincere in that than I, not even the Delegate from Alaska, for I have in mind the interests of those people whom he represents.

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That for the purpose of protecting and conserving the fisheries of the United States in all waters of Alaska, the Secretary of Commerce from time to time may set apart and reserve fishing areas in any of the waters of Alaska over which the United States has jurisdiction, and within such areas may establish closed seasons during which fishing may be limited or prohibited as he may prescribe. Under this authority to limit fishing in any area so set apart and reserved the Secretary may (a) fix the size and character of nets, boats, traps, or other gear and appliances to be used therein; (b) limit the catch of fish to be taken from any area; (c) make such regulations as to time, means, methods, and extent of fishing as he may deem advisable. From and after the creation of any such fishing area and during the time fishing is prohibited therein it shall be unlawful to fish therein or to operate therein any boat, seine, trap, or other gear or apparatus for the purpose of taking fish; and from and after the creation of any such fishing area in which limited fishing is permitted such fishing shall be carried on only during the time, in the manner, to the extent, and in conformity with such rules and regulations as the Secretary prescribes under the authority herein given: *Provided*, That every such regulation made by the Secretary of Commerce shall be of general application within the particular area to which it applies, and that no exclusive or several right of fishery shall be granted therein, nor shall any citizen of the United States be denied the right to take, prepare, cure, or preserve fish or shellfish in any area of the waters of Alaska where fishing is permitted by the Secretary of Commerce. The right herein given to establish fishing areas and to permit limited fishing therein shall not apply to any creek, stream, river, or other bodies of water in which fishing is prohibited by specific provisions of this act; but the Secretary of Commerce, through the creation of such areas and the establishment of closed seasons, may further extend the restrictions and limitations imposed upon fishing by specific provisions of this or any other act of Congress.

Mr. McKEOWN. Mr. Chairman, I offer an amendment, on page 2, line 17, and I ask that the word "or" be inserted in the amendment which I send to the desk.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McKEOWN: Page 2, line 17, after the words "United States," insert the words "who employs American citizens."

Mr. McKEOWN. Mr. Chairman, this bill, of course, is not any one man's bill, and we are all trying to get the bill through because it is legislation that is needed, and I do not want to impede it, but it occurred to me that this amendment ought to be inserted for this reason. Just a few days ago Pathé's Weekly News carried a picture of the fishermen going out of San Francisco on their way to the Alaskan waters with a great number of foreign laborers employed in the fishing business.

This bill has not only the purpose of protecting the fish in Alaska but is also to encourage our American citizens who are in Alaska to make a living for themselves and give them a means of livelihood, whereas these fishing companies come in there with irresponsible employees and not only destroy the fish but are taking more than their allowance, and have no consideration for the law and violate it with impunity, and the purpose of this amendment is to prohibit, as far as we can, that kind of a condition.

Mr. LEHLBACH. Will the gentleman yield?

Mr. McKEOWN. I yield.

Mr. LEHLBACH. Would the gentleman prohibit the employment of Alaskan Indians?

Mr. McKEOWN. This does not prohibit the employment of Alaskan Indians, because they are citizens of the United States, in the sense they are within the borders of the United States.

Mr. LEHLBACH. No; they are not citizens of the United States.

Mr. McKEOWN. They are not citizens in the sense that they exercise the right of franchise, but they are citizens within the meaning of this language.

Mr. LEHLBACH. I differ with the gentleman.

Mr. LEA of California. Is there any reason that would prevent the employment of aliens in the fishing industry that would not also apply to all other industries?

Mr. McKEOWN. The particular reason I am offering this amendment is because the records show they have such an utter disregard for the law and for all regulations up in Alaska that our fishermen who live along the shores and are trying to make a living are being crowded and starved out.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. McKEOWN. I yield to the gentleman with pleasure.

Mr. WHITE of Maine. Have we not a number of treaties which now prohibit the very thing you now propose? Have we not any number of treaties which provide, in substance and in effect, that we shall not deny to the alien rights of this sort which are enjoyed by our nationals?

Mr. McKEOWN. I will say to the gentleman that this amendment does not violate any treaty, because the language of the bill says "nor shall any citizen of the United States be denied the right to take" and so forth. I am not saying anything about aliens. I am saying "if he employs American labor he shall not be denied the right to take" and so forth.

Mr. BARBOUR. Under the gentleman's amendment could an American go out alone and fish or would he have to hire somebody?

Mr. McKEOWN. No; he could fish or he could hire Americans to fish for him.

Mr. BARBOUR. As I understood the amendment this right would be denied to him unless he did employ American labor.

Mr. McKEOWN. No; the amendment is that any citizen of the United States or who employs American citizens.

Mr. BARBOUR. I did not hear the word "or."

Mr. McKEOWN. I called attention to that at the time I offered the amendment and I want to amend it in that way and I ask unanimous consent that the amendment be so modified.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to modify his amendment in the manner indicated. Is there objection? [After a pause]. The Chair hears none.

Mr. HADLEY. Has the gentleman considered the fact that the natives and the Indians of Alaska who desire employment have such employment now, and they furnish but a very small percentage of the total supply that is necessary to operate the shore properties and in the absence of the additional necessary labor they would have to limit their operations so that they would have no place to sell the fish.

Mr. McKEOWN. No; I do not intend to do that at all. You are dealing here with the rights of American citizens and I do not propose that we shall give Americans the right to let them go out here and hire people who have no regard at all for our laws, who have no regard for conserving the fish in Alaska, and that is the purpose of this bill—to conserve the fish of Alaska.

Mr. FREE. Will the gentleman yield?

Mr. McKEOWN. I yield to the gentleman.

Mr. FREE. Does not the gentleman believe it is contrary to the Constitution of the United States? We have a much worse problem on the Pacific coast in reference to the Japanese fishermen, and yet we have not been able to control them. I believe this would controvert our own Constitution, which assures every person within our country certain rights.

Mr. McKEOWN. How could it be unconstitutional?

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Chairman, I ask for an additional five minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. How could it be unconstitutional when you are simply saying here that no discrimination shall be made against any citizen of the United States? Why does that conflict with the present rights of the citizens of Alaska, the Indians, or whoever lives there? I am simply adding the words "or who employ American labor." I want to call your attention to that proposition. It does not violate any constitutional provision because the language of the bill, if you gen-

tleman will observe, is dealing with the rights of the American citizens. We are saying that their rights shall not be impaired. Whose rights? A citizen of the United States. That is what the bill says.

I do not want the fishing people from some other country to come into the waters of Alaska under the mere guise that the man at the head of the operation is a citizen of the United States. I want to force these people to recognize the rights of our citizens and let the people of Alaska have a chance to grow, let them have a chance to live, let them have a chance to prosper. I am trying to build up a situation that will put a class of fishermen there that will have some regard for Congress and for our laws and the resources of the Alaskan Territory. If gentlemen think that the amendment is going to imperil the bill, that would be the last thing that I want to do. I am so earnest about this legislation going through that I am willing to give up a great many personal things that I think ought to be in the bill.

What I want to prevent is an American citizen going out and getting fishermen from some other countries when their own citizens are starving around the edge of Alaska trying to make a living. I want to say that the reason this was not presented to the committee is that I did not want to delay the report on the bill.

Mr. MacLAFFERTY. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. MacLAFFERTY. Does the gentleman know what the white population of Alaska is to-day?

Mr. McKEOWN. No, sir; I do not.

Mr. MacLAFFERTY. It is about 27,000. Does the gentleman realize that the scope of the Territory of Alaska covered by this legislation is so great that if a map of Alaska was superimposed upon the map of the United States the southeastern part of Alaska would be about where Charleston, S. C., is and the southwestern part of Alaska would be where Los Angeles is?

Mr. McKEOWN. Well, I have some comprehension of the size of Alaska, and that is one reason why I want to insist that there be some safeguards thrown about the fisheries in these waters.

Mr. MacLAFFERTY. Does the gentleman realize that literally you could not get a labor supply for fishing and the big canneries if this amendment was agreed to?

Mr. McKEOWN. Where does the labor come from if it does not come from this country?

Mr. MacLAFFERTY. It is coming from the Pacific coast—

Mr. McKEOWN. Are they American citizens?

Mr. MacLAFFERTY. Does the gentleman realize that if you limit this to American citizens that it would cripple the industry, if not ruin it?

Mr. McKEOWN. Would not the gentleman rather have the industry ruined than—

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. WHITE of Maine. Mr. Chairman, I rise in opposition to the amendment. This particular provision was urged on the committee by the Delegate from Alaska [Mr. SUTHERLAND]. Under the old system it was the practice of the Department of Commerce to give to a few men exclusive permits within a given area and when these men were given such special permits to fish in the particular area the right was denied to everyone else to fish in that locality. That was the condition which was severely criticized by the Delegate from Alaska and many others. The committee inserted this provision in order to do away with that exclusive right of fishing, and to insure to every citizen of the United States equality of right and equality of opportunity. That is all this provision does in its present form. But if you add the amendment now proposed by the gentleman from Oklahoma you have again restored a species of discrimination, because you will see that instead of this right being open to every American citizen it will be open to some American citizens and specially denied to other American citizens because, perchance, of the men he employs to do his work. This is a restoration of a species of discrimination. I am against it on that ground.

Mr. SUTHERLAND. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. SUTHERLAND. Is the gentleman aware that there is an act of Congress prohibiting alien fishing in Alaskan waters?

Mr. WHITE of Maine. The gentleman from Alaska has put into my mouth words that I proposed to use. This matter was not presented to the consideration of the committee, and there is no member of the committee here at this time, except the Delegate from Alaska, who is ex officio a member of the committee—there is no member of the committee here able to state



the condition of labor employed in the Alaskan fisheries. We do know in certain seasons of the year certain kinds of fishermen go from Seattle and from San Francisco and participate in this fishing, but if you put into this bill the provision that the gentleman from Oklahoma urges, instead of doing away with favoritism and placing every American citizen on an equal footing you have restored a species, although a different kind, of discrimination, and I hope the amendment will not be adopted.

Mr. McKEOWN. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. McKEOWN. Is it not a fact that our fishermen are the people living around the coast, and that they have a hard time to exist. But if you admit this great horde of aliens coming up there, it will make the matter worse.

Mr. WHITE of Maine. So far as I can recall, I do not think there is a particle of evidence which discloses that an American citizen can not get work as a fisherman in Alaska.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

Mr. BARBOUR. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BARBOUR: Page 1, line 11, after the letter "(a)," insert: "designate the manner in which such fishing shall be conducted and."

Mr. BARBOUR. Mr. Chairman, may I have the attention of the gentleman from Maine [Mr. WHITE] in charge of the bill? I note that the bill provides that under the authority granted, the Secretary of Commerce may fix the size and character of the nets, boats, traps, and other gear and appliances to be used; that he may limit the catch of the fish to be taken from any area; and that he may make such regulations as to time, means, methods, and extent of fishing as he may deem advisable. Is the Secretary of Commerce empowered when he opens a certain area for fishing to say, "You may use purse seines in this area but not traps, or you may use traps but not purse seines." May he indicate the kind of appliances that may be used in an area, or is he restricted to simply fixing the size and character of the gear used?

Mr. WHITE of Maine. There is no question as to what the committee intended.

Mr. BARBOUR. I think the committee intended that he should have that power.

Mr. WHITE of Maine. I think under this the Secretary has the power within an area where limited fishing is permitted not only to limit the size and character of the nets and boats, and so forth, but he may say that within this particular area traps may be used or he may say that traps may not be used, and he may say that they may use purse seines, or he may say that within this particular area a purse seine may not be permitted.

Mr. BARBOUR. Does the gentleman believe that the use of the word "methods," in line 3, on page 2, gives him that authority?

Mr. WHITE of Maine. I think there is no question about that.

Mr. HADLEY. Mr. Chairman, if the gentleman will permit, I call attention to the language of lines 8 to 12, inclusive, where it is provided—

That from and after the creation of any such fishing area in which limited fishing is permitted such fishing shall be carried on only during the time, in the manner, to the extent, and in conformity with such rules and regulations as the Secretary prescribes, the authority is given.

Would the gentleman's amendment not be a duplication of that?

Mr. BARBOUR. I think so. I believe that was the intent of the committee, although there was a possible doubt, and it might have been open to other construction. It was my purpose in offering the amendment to remove any doubt and to secure information. If the gentleman from Maine now states as a matter of record that that is the purpose and intent of the committee, it will clarify the language, I think.

Mr. WHITE of Maine. I have absolutely no question about that.

Mr. BARBOUR. Then, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Sec. 3. Section 3 of the act of Congress entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 28, 1906, is amended to read as follows:

"Sec. 3. That it shall be unlawful to erect or maintain any dam, barricade, fence, trap, fish wheel, or other fixed or stationary obstruction, except for purposes of fish culture, in any of the waters of Alaska at any point where the distance from shore to shore is less than 1,000 feet, or within 500 yards of the mouth of any creek, stream, or river into which salmon run, excepting the Karluk and Ugashik Rivers, with the purpose or result of capturing salmon or preventing or impeding their ascent to the spawning grounds, and the Secretary of Commerce is hereby authorized and directed to have any and all such unlawful obstructions removed or destroyed. For the purposes of this section the mouth of such creek, stream, or river shall be taken to be the point determined as such mouth by the Secretary of Commerce and marked in accordance with his determination. It shall be unlawful to lay or set any seine or net of any kind within 100 yards of any other seine, net, or other fishing appliance which is being or which has been laid or set in any of the waters of Alaska, or to drive or to construct any trap or any other fixed fishing appliance within 600 yards laterally or within 100 yards endwise of any other trap or fixed fishing appliance."

Mr. SUTHERLAND. Mr. Chairman, at this point I submit the amendment which is at the desk, which has already been read.

The Clerk read as follows:

Amendment by Mr. SUTHERLAND: At the end of section 3, on page 4, line 20, after the word "appliance," add: "That it shall be unlawful to drive, construct, set, or fish with any fixed or floating trap, weir, or pound net in any bay, inlet, or estuary in Alaska, the width of which at its entrance is 3 miles or less, or within any channel or passage connecting larger bodies of water where the width of said channel or passage is 3 miles or less, or within 1 mile of the entrance to any bay, inlet, or estuary which is 2 miles or less in width at its entrance, or within 1 mile of the mouth of any stream into which salmon are accustomed to run."

The CHAIRMAN. Does the gentleman offer that as a new paragraph?

Mr. SUTHERLAND. That provision terminates that section.

The CHAIRMAN. Does the gentleman desire to have it in the form of a proviso?

Mr. SUTHERLAND. Yes.

The CHAIRMAN. Without objection, the word "Provided" will be added at the beginning of the amendment.

There was no objection.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman from Alaska yield?

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. I had hoped to talk in favor of the gentleman's amendment, but I am compelled to go to a meeting of a committee. As I understand it, every interest in Alaska is in favor of this amendment?

Mr. SUTHERLAND. Every interest except those individuals or corporations who have traps at the mouths of streams.

Mr. MOORE of Virginia. The packers and the canners?

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. The Legislature of Alaska is in favor of it?

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. The people who are in office in Alaska are in favor of it. I remember having a talk with the Attorney General of Alaska some time ago and he is in favor of it.

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. The people of Alaska are in favor of it?

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. There is not any dissent as to the expediency and propriety of this amendment so far as the population of the Territory of Alaska is concerned, and the opposition is altogether from outside interests; and as I understand the amendment is in line with the general fishing laws that pertain in most sections of the country with respect to trap fishing?

Mr. SUTHERLAND. Yes.

Mr. MOORE of Virginia. What is the opposition? Can the gentleman tell us the ground of opposition, the selfish opposition, that directs itself against the passage of this amendment?

Mr. SUTHERLAND. Yes; the investment in the traps.

Now, this is one method and a very important method of conserving the salmon fisheries of Alaska, and if we do not do this we are at the mercy of the interests who are going to defeat and exhaust this interest.

Mr. MacLAFFERTY. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. MacLAFFERTY. Will the gentleman say whether or not the department here in Washington is in favor of his amendment?

Mr. SUTHERLAND. They are opposed to it.

Mr. MacLAFFERTY. Does the gentleman think the department in Washington is moved by a selfish interest?

Mr. SUTHERLAND. Yes; absolutely, without question.

Mr. MOORE of Virginia. Has not the department in Washington been pursuing a policy which tends to the exhaustion of the fisheries in Alaska up to the present time?

Mr. SUTHERLAND. I represented in a speech I addressed to Congress that there has been no such destruction of salmon in Alaska since the inception of the industry as has taken place under the conservation system this summer.

I do not know that I need discuss this question any further. As I said before, this is section 33 of Magna Charta. It only seems fair that 700 years later we should incorporate a section of that great charter to protect the right of fisheries in Alaska. That section was obtained from King John by the barons; and in section 60 the barons say, in effect, that we, the barons, both the clergy and the laity, shall guarantee those liberties obtained from King John to all the peasantry of England. Contrast that with the fish barons of Alaska to-day. They say we do not propose that the peasantry—excuse the use of the word in America—we do not propose that the poor fishermen in Alaska shall exercise the common right to fish—

Mr. RAKER. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. RAKER. Speaking of fishermen of Alaska, who are the men who are employed by these large concerns in the catching and the handling of fish from these traps?

Mr. SUTHERLAND. They are largely citizens, in many cases men who have taken out their first papers—citizens employed.

Mr. RAKER. They are the only men?

Mr. SUTHERLAND. They are the only men. I do not know of any aliens operating traps. It is possible there are a few, but the aliens are employed in the preparation of the fish in the canneries. Now, it seems to me that it is eminently fair, in view of the fact that the State of California expressly prohibited this form of gear and has for 40 years, even before we dreamed of radicalism or anything of the sort—that was 40 years ago, when the people of California provided for and recognized human rights—the rights of humanity rather than the rights of property—and it enacted that law and thus entered the first chapter of their constitution—

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUTHERLAND. May I have five minutes more?

Mr. RAKER. I am in favor of the California law, and I want to go the limit on this.

Mr. SUTHERLAND. I am not criticizing—

The CHAIRMAN. The gentleman from Alaska asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SUTHERLAND. I am not criticizing the gentleman or any particular gentleman from the State of California.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. I thought the gentleman had his time extended or I would not have said what I did.

Mr. MacLAFFERTY. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. MacLAFFERTY. Did the people of California, having enacted this legislation 40 years ago, as you state—

Mr. SUTHERLAND. And reenacted it 20 years ago.

Mr. MacLAFFERTY. Did it preserve the salmon in the Sacramento River?

Mr. SUTHERLAND. No; because they had been destroyed by traps.

Mr. MacLAFFERTY. The gentleman said 40 years ago they prohibited the use of these traps, and yet in spite of that it did not preserve the industry?

Mr. SUTHERLAND. It has not increased the supply because the traps destroyed it. There comes a time when the supply of salmon does not recover. Birds and animals have to feed from salmon. The eggs are the necessary food for gulls and other birds, and when the supply is diminished to a certain extent it is never recovered.

Mr. RAKER rose.

Mr. MacLAFFERTY. Just a moment, please.

Mr. RAKER. I asked the gentleman to yield.

Mr. MacLAFFERTY. He has yielded to me. I want to ask the gentleman from Alaska why he thinks the department is against his amendment?

Mr. SUTHERLAND. The department wants all the regulatory powers to itself.

Mr. MacLAFFERTY. Does the gentleman believe it is because the department wants to stand in with what is commonly known in a campaign fight as the predatory interests?

Mr. SUTHERLAND. The fish trust.

Mr. MacLAFFERTY. Upon what does the gentleman base—

Mr. SUTHERLAND. I think I can submit absolute evidence to that effect. I wish I had the floor for an hour.

Mr. RAKER. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. RAKER. They practically ruined the salmon fishing in Alaska except some in the Klamath River. Those interests will finally destroy the salmon fishing in California.

Mr. SUTHERLAND. The opposition to this limitation and protection of public rights comes from the State of California—not from the people of California but from the predatory interests that are located in San Francisco—from a State that has declared repeatedly that the public rights of fisheries must be guaranteed. They even passed a law that provided that no public land of the State should be sold without a guaranty that the public would not be denied the right to go on and fish there, that would safeguard the people of the State, and why would you to-day prevent the poor citizens of Alaska from exercising the same right which the citizens of California are guaranteed?

Mr. FREE. Mr. Chairman, will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. FREE. Is it not a fact that there has not been a trap for 20 years in the Sacramento River and yet the salmon has been absolutely depleted?

Mr. SUTHERLAND. Yes; and they have been destroyed by the traps.

Mr. FREE. The salmon existed long after the traps were taken out of the river. Then the fishermen operating in the way you want it destroyed the fish in California.

Mr. McKEOWN. Mr. Chairman, I want to offer an amendment.

Mr. SUTHERLAND. Before that I yield to the gentleman from Kansas for a question.

Mr. STRONG of Kansas. Is it not true that the trap fishermen who are taking and canning salmon are not interested in Alaska Territory?

Mr. SUTHERLAND. Yes. They come up there from the outside and they take everything from Alaska and give nothing back. The Territory has fixed licenses under the organic act for the support of schools and the maintenance of schools in the Territory, a very light tax, and the canning interests immediately challenged it and took the matter into court.

Mr. STRONG of Kansas. Is it not true that the great packing establishments are owned by nonresidents of Alaska who take and can the fish and do not spend a dollar on a single person who is a resident in Alaska?

Mr. SUTHERLAND. There are some traps that are owned by our Alaskan people—my constituents—but they are very few.

Mr. FREE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California is recognized.

Mr. FREE. Mr. Chairman, in view of the statement of the gentleman from Alaska [Mr. SUTHERLAND], I want to say that we have had a lot of experience with the salmon business in California. Traps were eliminated 20 years ago, and since then there has not been any trapping of salmon, and yet to-day the salmon industry is extinct as the result of fishing by other gear.

I recently received a letter from a boyhood friend and college friend in Alaska, who is not a canner or fisherman. I asked him to give me some correct information on this question, and he writes me under date of March 14, 1924, as follows:

I have been much interested in reading the report of the recent hearing on the White bill before the Committee on the Merchant Marine and Fisheries. I note that the Delegate from Alaska is somewhat vindictive in his attitude as regards the Bureau of Fisheries. I want to tell you that the attitude of Mr. SUTHERLAND is not that of most of the level-headed people of Alaska. \* \* \*

It is true that the traps catch many fish, but most of these are the cheaper grades known as pink or humpback. These fish are much more liable to deterioration than the reds or kings, and for that reason should not be bruised or scarred, and should be canned as soon as possible after being caught. The trap permits these fish to remain unharmed in their native element until bailed out and taken to the cannery. In most cases they are put in the cans within eight hours of coming from the water. The system of catching pinks in gill nets or purse seines is bad,



for the reason that the individual fisherman waits until he has enough fish to make a load before he takes them to the cannery or loading station from which the cannery gets them. No bad fish are ever canned from trap-caught fish.

I want to say to you that if you put the traps out of Alaska you are going to make the price of canned salmon so high that an ordinary man can not buy it. The fact is that there are a few people in Alaska who happen to be voters, who want to control the fishing in Alaska and charge the canneries whatever price they please; and if you want to prevent the poor man from eating fish vote for the Sutherland amendment. You get no putrid fish put in the cans when the fish are caught in traps, and it is just as good as any other way of fishing and a lot less expensive.

If you adopt this amendment you will put the industry into the hands of a few people who happen to be able to vote, because the Indians can vote. You will put this industry into the hands of a few Indians in Alaska.

Here is the situation: Every native in Alaska that wants employment in the canning industry is given employment. If you want to destroy this industry and want to put up the price of salmon so high that the people can not buy it, you will help to do it by favoring this amendment. You have the traps, you have the purse seines and the gill nets. Why discriminate against one class of gear. All are equally destructive. Let the Bureau of Fisheries limit these gears as this bill provides and you will preserve the salmon of Alaska.

After giving this matter a great deal of consideration, and with a great deal of consideration for the man I know and was raised with and went to college with, who wrote me the letter, I feel that the trap fishing ought not to be discriminated against.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WHITE of Maine. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Maine moves to strike out the last word.

Mr. McKEOWN. Mr. Chairman, I have an amendment to offer to the amendment. Will it be in order after the gentleman's amendment is disposed of?

The CHAIRMAN. When his amendment is withdrawn it will be.

Mr. McKEOWN. I have an amendment to perfect that amendment—to amend the amendment that is pending. Will it be in order?

The CHAIRMAN. Your amendment will be in order.

Mr. WHITE of Maine. Mr. Chairman and gentlemen of the committee, I am sorry that the Delegate from Alaska [Mr. SUTHERLAND] has seen fit to offer his amendment, although he is wholly within his rights according to the understanding we had in the committee in doing so. It seems to me that the gentleman's zeal speaks rather than his judgment.

I want to say a word about the relative destructiveness of trap fishing and seine fishing. It has been repeatedly asserted here that trap fishing is the most destructive of all the methods of fishing employed in Alaska; and yet in the hearings before the committee there was submitted for our information a table covering the percentages of fish taken by the various means of fishing employed in Alaska from 1912 down to 1922; and while that shows a somewhat larger number of fish taken by traps than by other means, yet this percentage is really insignificant in consideration of the whole amount of fishing. During that period of time approximately 29 per cent of the fish taken in Alaska were taken by means of the purse seine, and approximately 38 per cent were taken only by means of traps, so that there is only a difference in the actual number of fish taken during a period of 10 years of about 9 per cent.

What is the testimony as to the two methods of fishing? I call your attention in the first place to the colloquy between Mr. McCord, who represented the packers, and Mr. Furuseth, who represented the fishermen's union.

Mr. Furuseth said:

They have put those out because they were found to be ruinous—those fish traps and purse seines.

Mr. McCord supplemented that statement with this language:

I would like to say that they are both equally destructive, and that one should not be discriminated against in favor of the other.

Then on page 210 of the testimony I find this statement. Mr. Hylen, representing a fishermen's union, said:

I will say they [seines] are harmful, although not quite as bad as traps.

Again, Mr. Hylen said this, speaking for the fishermen's union:

If I had my way, I would say to Congress: "Yes; abolish both traps the seines."

Mr. SUTHERLAND. If the gentleman will read further in Mr. Hylen's testimony, he will find where he said the seine was not as destructive as the trap.

Mr. WHITE of Maine. Then, again, Mr. Hylen said in answer to the following question:

You want us to abolish purse seines absolutely everywhere?

Absolutely.

Again Mr. Furuseth said:

I look upon purse seining as pretty near as dangerous to the fishing as the traps. It may not be quite as dangerous, but just as nearly so, if not fully so.

And once more Mr. Furuseth, speaking for these same fishing interests, the fishermen, said he would regulate by abolishing traps and purse seines. That is the record as to the comparative damage done by these two methods of fishing.

Mr. HADLEY. Will the gentleman yield?

Mr. WHITE of Maine. Yes.

Mr. HADLEY. If that were done, as stated by the Delegate from Alaska, it would result in eliminating fishing in southeastern Alaska altogether, would it not?

Mr. WHITE of Maine. It would eliminate fishing in southeastern Alaska altogether and do much toward that throughout the whole Territory of Alaska.

Let me call the committee's attention to the extent we have gone in this bill in undertaking to conserve these fisheries. In the very first section of the bill we have authorized the establishment of a closed season when fishing may be prohibited altogether, fishing by trap, fishing by purse seine, and fishing in any imaginable way. In this same section we have authorized the establishment of closed areas where only limited fishing may be permitted, and within those areas of limited fishing it is within the discretion of the Secretary of Commerce to prohibit traps and to prohibit seines, one or the other, or both.

That is not all we have done. In section 2 of the bill we have provided for the escapement of at least 50 per cent of the fish in any run of salmon. That is applicable to fishing by traps, it is applicable to fishing by purse seines, and in all other ways. In that connection I call to your specific attention the fact that the trap furnishes a more easy and a more accurate method of determining the number of fish taken than by the purse seine or other means, because it is a stationary contrivance upon the shore. So we have in that provision provided for the escapement of 50 per cent of the run of salmon and against fishing in excess of the required escapement by any manner or means whatsoever. The testimony is overwhelming that a 50 per cent escapement of fish is ample to procure the propagation and perpetuation of the species.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE of Maine. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WHITE of Maine. So we have thrown that additional safeguard about these salmon. Then we have written into the law still another provision. We have prohibited absolutely fishing in all the streams of Alaska and within 500 yards of the mouths thereof by any means whatsoever except by hand rod, gaff, or spear. That exception is made so that the natives and others living along those streams may procure fish for food. But it does not permit commercial fishing. In section 3 we have provided that it shall be unlawful to establish any fence, trap, fish wheels, and so forth, except for the purpose of taking fish for fish culture in any of the waters of Alaska where the distance from shore to shore is less than 1,000 feet. That is a prohibition against traps in these streams and in all these lagoons and estuaries where these salmon may readily be found. Those things are all written into this law as absolute provisions against traps.

On top of all that we have given to the Secretary of Commerce authority to apply wise discretion to the varying conditions which exist from one end of that coast to the other. It is conceded that in some localities trap fishing should be prohibited. We have done it in some instances in the bill, and we have conferred specific authority upon the Secretary to do it in all those other places and at those times where conditions seem

to warrant it. We have done that on the general authority of regulation.

Now, it has been said that there are more than 2,000 streams in Alaska, and I do not know how many hundreds and thousands more of bays, estuaries, and lagoons. It was utterly impossible for this committee to sit down and pick out the particular areas in which trap fishing should be prohibited. We had to lodge somewhere sane discretion about these matters, and we have followed precedents and followed sense. We have left it in the hands of the Secretary of Commerce.

Now, gentlemen of the committee, I close as I began. It causes me regret that this controversial matter has been thrown into this bill. In the bill before you we have done more than has been undertaken for the conservation of the fisheries of Alaska in the last 25 years.

This subject which is now injected here has been responsible for the failure to enact legislation during the last two Congresses, and I express the gravest apprehension that it will prove prejudicial to the chances of enacting legislation now. I hope, in the interest of the salmon fisheries of Alaska, this amendment will not be written into the bill. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn and the gentleman from Oklahoma [Mr. McKEOWN] is recognized to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN to the amendment offered by Mr. SUTHERLAND: In line 2 of the amendment, after the word "net," insert "or fish with purse seines."

Mr. McKEOWN. Gentlemen, I agree with the gentleman from Maine [Mr. WHITE] that the bill now before us is the best bill we could all agree upon. Personally, as the gentleman from Alaska knows, I championed the abolition of both traps and purse seines in the waters described in his amendment because, so far as cutting them off is concerned, the high-powered boats with purse seines can absolutely destroy a whole school of fish going into these waters. You can take a company with two high-powered boats, one setting the seine and the other setting one as soon as the other one begins to unload—it takes only 20 minutes to set the seine and a couple of hours to unload it—and they can simply follow the school up and catch them and absolutely wipe out the entire school. If you are going to stop traps, stop the purse seines at the same time.

We have here the testimony of men who say that the truth about it is the only thing the fishermen think about in Alaska is to get the fish. It does not make any difference whether they fish by traps or fish with purse seines or fish with gill nets. If you stop the trap, you have got to stop the purse seine; and if you abolish the purse seine and the trap, then you must regulate the gill net, or they will take them just the same and destroy the fish. The only thing they are after is the fish. They do not care anything about the results.

Mr. ABERNETHY. Will the gentleman yield?

Mr. McKEOWN. I yield for a brief question.

Mr. ABERNETHY. They can catch enough fish with the gill nets for all purposes there, can they not, without using these destructive agencies?

Mr. McKEOWN. They say they can not, for this reason: There are some places in Alaska where they can not get sufficient fish, but if you want to absolutely shut them down and save the fish of Alaska, without regard to what is going to happen to the men who have their money invested up there, then adopt the amendment as amended and take out both the purse seines and the traps. If you take out the traps and leave in the purse seines to operate in the same area, you have not done anything except take away from one man his means of getting fish in order to turn it over to another man who is just as greedy, and you will destroy the fish just the same as under the trap system. If I had my way and could write the bill I would put both of them out and regulate the gill nets so that the fish would have a chance to propagate. I am showing you what it will mean to amend this bill if you go into this controversy.

I sympathize with my friend from Alaska and I know he wants to improve the situation, but there is no reason why you should eliminate the trap and let the purse seiners go on with their destructive fishing. While it is true they do not fish at night, yet when they do fish they catch them just as fast as they can go out and put the net around them, and they take them out by the thousand and are just as destructive so far as the fishing industry of Alaska is concerned.

Mr. GREENE of Massachusetts, Mr. STRONG of Kansas, and Mr. MILLER of Washington rose.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. GREENE], chairman of the committee.

Mr. GREENE of Massachusetts. Mr. Chairman, this bill was given a great deal of consideration in the committee, was sent to a subcommittee, and they gave it a great deal of consideration. They tried to draw a bill which they thought would be acceptable, after consultation with the Department of Commerce and after taking every measure they could to get a bill that would be acceptable. I have been a member of this committee for 25 years and the only bill affecting the Alaskan fisheries that has passed that made any amendment to the law was passed in 1906, and we have not been able to get an agreement on any legislation since. We got an agreement in this bill, brought it in, and the bill as presented ought to be passed. If you do not vote for it, it may go over another year. Do not tear this legislation all to pieces. Do not undertake to get up here without consideration and put in amendments that have had no consideration at all except in the minds of some people who come in here to-day and draw up an amendment that may throw the whole bill out of gear. Take the bill as it is, put it through, and get it out of the way. Let us have some legislation on this matter. Do not let us obstruct legislation. I do not believe in obstructing legislation myself. You all know from my service here that I have not sought to obstruct any legislation. I do not want to obstruct legislation. I want legislation enacted and I want to have it workable. This everlasting talk, talk, talk, does not enact legislation. We have an example in the body on the other end of the Capitol which keeps talk going but does not legislate. Do not get into that habit. Let us keep our heads level. We have a bill before us that has been carefully thought out. We tried to enact it last year but did not succeed. My friend from Alaska always wants to get in something, even after he tries it before the committee and nobody agrees with him. Not a single soul on the committee agreed with him, still he brings it into the House, and is a disturbing element, when he is warned that his action may prevent the passage of the bill. I do not know whether it will or not, but if you take the bill as we brought it in here and pass it, then you will get some legislation. Now, do not have any more bother about it, go ahead and vote for the bill. [Applause.]

Mr. STRONG of Kansas. Mr. Chairman, it was my privilege last summer to visit Alaska. The consensus of opinion of everyone we saw was that the salmon were being depleted, and that if Congress did not take some action and stop the destruction, the salmon fishing in Alaska would be absolutely destroyed in 5 or 10 years. We talked with probably 500 or 600 people in a dozen different towns, and that was the unanimous opinion. On the vessel en route we had Doctor Gilbert, of Stanford University, who had devoted years to a study of the salmon, who gave us a lecture on salmon, explaining how they spawned at the head of the streams, went out into the ocean for a period of three years, then came back to the same river in which they were spawned and to deposit eggs and die.

When they are coming back they meet these net fishermen, who go out with their nets and secure a great quantity, making frequent trips from the coast to the school, bringing them back by the boatloads, and then when the salmon get to the mouth of the stream they are met by these traps, and by both nets and traps so many were taken that only a small percentage get into the rivers to spawn and reproduce themselves. These traps are generally 1,000 and 2,000 feet long, and some a mile long, and the fish have but small chance to get by. Talk about raising the price of salmon by restricting the catch; if you do not restrict such fishing, we will not have any salmon in the country in 5 or 10 years.

Now, I have no constituents in Alaska engaged in net fishing. I have no constituents down the line of the Pacific coast. My only interest is in protecting the destruction of the industry. But the men who operate the great fish traps and canneries go to Alaska with their boats, their men, and provisions, make their catch, pack the fish, and return to their homes in the West Coast States, and do not contribute a dime to the people of Alaska or the welfare of that Territory. Their interest is entirely selfish. They take every fish possible. So I said to myself, after listening to the people of Alaska, that when I get back to Congress I would try and vote for everything I could to help protect the salmon up there to the end that so great an industry should not be destroyed. [Applause.]

Mr. FREE. Will the gentleman yield?

Mr. STRONG of Kansas. Yes.

Mr. FREE. The people who were brought up there were the purse seiners and not the trap men.

Mr. STRONG of Kansas. Oh, yes, they are. I know the difference between the trap fishermen and the seine fishermen,



and both are guilty of the destruction of the fish. The seine men say that the trap fishermen are responsible for the depletion of the salmon, and the trap men say that it is the seine people that are responsible. I want to stop them both from taking salmon within 3 miles of the mouth of the rivers and give the salmon a chance to get into the rivers and reproduce themselves. I am going to vote for both amendments. I would like to put some additional teeth in the bill. [Applause.]

Mr. MILLER of Washington. Mr. Chairman. I have lived for over 30 years on the Pacific coast, and I know something about the fishing situation. It was not the traps that put the salmon out of the Sacramento River; it was the combination of the purse seiners, the gill nets, and the traps, the three of them. With all three of these devices working at the same time and to the same purpose it was a lucky fish that could get far enough up the Sacramento to smell fresh water. The result was absolute and final destruction of food fish in the principal river of California.

Mr. WATKINS. And is that not true of the Columbia River? Mr. MILLER of Washington. That is sadly true of the Columbia River, too, as well as the Sacramento. As the fishing interests moved north along the coast it was the combination of the three that left empty rivers behind them. These three—the combination—are now in Alaska with the inevitable result of repeating what has happened in the Sacramento and in the Columbia. Alaska will be absolutely robbed of this great natural asset if Congress does not act.

There is no one of them more deadly on the fish than the other, but with the combination working absolute extermination will be and has been the result. Any one of the three is bad enough, we all know; but the combination all at one time is absolutely deadly.

Mr. SUTHERLAND. Will the gentleman yield?

Mr. MILLER of Washington. No; I can not. I know the attitude of the gentleman from Alaska, and I can not agree with him. When the salmon come in from the sea to spawn they come back to the stream of their nativity, and when near the mouth of the river they stay for two or three days, and sometimes as high as eight days. They go through what is called "finning." You can see the whole surface alive with the ripples of the fish. Then here comes the purse seiners in the power boats, throw their seines around the fish again and again, a half a dozen times, and with these schools moving at the rate of 3 miles an hour, I presume that 50 per cent of the fish are taken. Those that escape the purse seiner go on toward the stream and find these traps next. If any get past both the purse seiners and the traps, they get into the gill nets. You can plainly see what chance a fish has. When a fish is caught perhaps 6,000 spawn are destroyed.

Now, we must leave the situation to somebody. We can not leave it to the purse seiner or to the trap fishermen, for the reason that both are deadly. We must leave it to the Department of Commerce with the power and the control over this matter as the governmental agency in the interest of propagation. That is what this bill provides for. It will take care of the whole situation in the interest of all of the people. But if you let the traps work and stop the purse seiners, or let the purse seiners work and stop the traps, you throw it all into the hands of one or the other. The thing to do, in my judgment, is to let the department regulate purse seining and trap fishing and gill netting, regulate all kinds and methods of fishing—the places, the conditions, and the periods—we will be accomplishing something really beneficial. Leave it to the department; it will control the situation, and you will see that the supply of salmon in 20 years from now will be three times what it is today. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has expired. The pro forma amendment is withdrawn.

Mr. RANKIN. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. Two amendments are already pending. The gentleman can proceed only by unanimous consent. The gentleman from Mississippi asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Chairman, I am going to support the Sutherland amendment relative to these traps, and then I shall support an amendment, if one is offered, as I understand it will be, to stop the purse-seine fishing in Alaska.

The difference between the two is this: Conceding that both destroy the Alaskan salmon, the man who runs the purse seine ordinarily lives in Alaska; he is a citizen of Alaska. You people have spent millions of dollars to accommodate him and made a place fit for him to live. The man who owns the traps seldom sees Alaska. He possibly lives in Boston or New York. We have

a Territory there of about 586,000 square miles, and Congress has spent about \$57,000,000 in the construction of a railroad up there for their use and convenience. I would like to have the gentleman from Massachusetts [Mr. GREENE] investigate that unreasonable extravagance. I would like to have him give the reasons for Congress spending \$57,000,000 to build a railroad in Alaska 467 miles long, when there are not 10,000 people living within 300 miles of it. You needed somebody to go there 10 years ago, before this money was spent, and make some investigations. If they had, the chances are we would be \$57,000,000 better off.

Mr. GREENE of Massachusetts. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. RANKIN. Not now. They said then that they wanted to encourage people to live in Alaska. They wanted our people to go there to make their homes.

Mr. GREENE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I decline to yield now. Congress spent this money—\$57,000,000—saying that we wanted to encourage people to go to Alaska to live; and to-day, by this trap fishing, you are destroying practically the only method they have of earning a livelihood.

If you are going to encourage people to go there to live and make their homes there, why do you not protect them and give them some way in which to make a living? Are you going to continue this, and in the course of a few years have all of these fisheries destroyed? The gentleman from Kansas [Mr. STRONG] remembers that we went through a cannery at Cordova. We found it running only one-quarter capacity. It was pointed out to us that when it was first put in it ran full capacity, and those people said as it was then running that within a few years there would not be a salmon to be canned at that place. What is true of Cordova is true all over Alaska.

Talk about leaving it to the Secretary of Commerce! I submit that the conduct of the Department of Commerce with reference to the Alaskan fisheries for the last two years is a discredit to the American Republic. Take the statement of the gentleman from Alaska [Mr. SUTHERLAND]. He and I do not agree politically, but he knows more about this question than any other man on the committee. He lives there, and he is telling you what the people of Alaska told me. He is telling you what those people told Mr. STRONG of Kansas and other Members of the House. It is a question of whether or not you are going to protect those people who go into that cold climate, where it is night six months of the year, where the ground is covered with snow and ice for six to eight months in the year, or whether you are going to allow this source of food supply and of employment to be utterly destroyed by these traps.

Are you going to continue this policy and permit these American canneries to destroy the fisheries of Alaska?

For these reasons I shall not only support the amendment offered by the gentleman from Alaska [Mr. SUTHERLAND] but I shall support an amendment to stop even purse seining in order that we may save Alaska for the Alaskans and give those people there and their children and their children's children some method by which they can earn an honest living. [Applause.]

Mr. GREENE of Massachusetts. Mr. Chairman, the gentleman who has just taken his seat said that I voted for the Alaskan Railroad.

Mr. RANKIN. I did not.

Mr. GREENE of Massachusetts. He said—

Mr. RANKIN. I did not say that the gentleman did. I said the Congress of the United States did.

Mr. GREENE of Massachusetts. Well, I did not vote for it. I had sense enough to know that it was not a wise piece of legislation.

Mr. RANKIN. For once the gentleman was right. [Laughter.]

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Oklahoma [Mr. McKEOWN].

The question was taken; and on a division (demanded by Mr. McKEOWN) there were—ayes 46, noes 31.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Alaska [Mr. SUTHERLAND].

Mr. SUTHERLAND. Mr. Chairman, I ask unanimous consent that the word "Provided, That" as the amendment now stands be eliminated. I am informed that the continuity of the language will be all right without those words.

The CHAIRMAN. Without objection it will be so ordered. There was no objection.



The CHAIRMAN. The question is on the amendment offered by the Delegate from Alaska.

The question was taken; and on a division (demanded by Mr. GREENE of Massachusetts) there were—ayes 51, noes 48. Mr. GREENE of Massachusetts. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. WHITE of Maine and Mr. RANKIN to act as tellers.

The committee again divided; and the tellers reported—ayes 74, noes 63.

So the amendment was agreed to.

The Clerk read as follows:

Sec. 5. Section 5 of said act of Congress approved June 26, 1906, is amended to read as follows:

"Sec. 5. That it shall be unlawful to fish for, take, or kill any salmon of any species in any manner or by any means except by hand rod, spear, or gaff for personal use and not for sale or barter in any of the waters of Alaska over which the United States has jurisdiction from 6 o'clock post meridian of Saturday of each week until 6 o'clock antemeridian of the Monday following, or during such further closed time as may be declared by authority now or hereafter conferred, but such authority shall not be exercised to prohibit the taking of fish for local food requirements or for use as dog feed. Throughout the weekly closed season herein prescribed the gate, mouth, or tunnel of all stationary and floating traps shall be closed, and 25 feet of the webbing or net of the 'heart' of such traps on each side next to the 'pot' shall be lifted or lowered in such manner as to permit the free passage of salmon and other fishes."

Mr. HADLEY. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HADLEY: Page 5, line 13, after the word "jurisdiction" insert "except in Bering Sea and waters tributary thereto."

Mr. HADLEY. Mr. Chairman, my purpose in offering this amendment is to meet a situation that is peculiar to one locality. Under the present law the close season does not apply to Bering Sea and to one or two other places specified. I do not mention any in this amendment except Bering Sea, and I do that because of this situation. Fishing in Bering Sea covers a period of 30 days, sometimes less, but by regulation of the department I believe it runs from June 26 to July 26, 30 days, whereas the fish run for two months, both before and after the period for which fishing is permitted; that is to say, from about June 15 to August 15. So the salmon have an escapement both before and after the open season. Now, that is a very stormy sea. I presume all are aware that Bering Sea is sometimes known as the birthplace of storms. It is exceedingly rough in Bristol Bay, where a great deal of this fishing is conducted. Often fishing can not be successfully conducted at all, and the result is the boats lie up and the fish pass up the stream during the stormy weather. Now, we provide for a day and a half closed season, 36 hours. Four weeks will take 6 days out of the 30-day period and leave some 24 days. I saw these gill-net fleets of some 1,200 boats come and go twice each day with the rise and fall of the tide. But it is a very limited season, and it costs from \$100,000 to \$400,000 to outfit a cannery, supplies and other equipment being sent up there annually. It is a risky business for that short period. Furthermore, you have written into this bill a provision for a 50 per cent escapement under the control and direction of the department. Now, having written that into the bill, knowing this is an exceedingly stormy sea and that the fish escape both before and after that 50 per cent escapement, why not except this area which has always been excepted under existing law and leave the entire regulation to the department? I submit this is reasonable and necessary under the peculiar conditions which exist in Bering Sea, so far north as it is, where fishing can not be successfully conducted early in the season. On the southern side of the peninsula conditions are quite different. I submit upon this brief statement of facts without further argument that this amendment ought to be adopted and inserted in the bill.

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen, I am opposed to this amendment. This very matter was considered specifically by the subcommittee and was taken up with the Bureau of Fisheries, and it was with their approval that Bering Sea was eliminated from the exception. They thought that conditions were such as to permit it and it was proper to do so. Now, the gentleman from Washington says that this closed season of 36 hours for each week will only leave the fishermen about 24 days out of a month in which to fish. Members of

the committee thought that the fish ought to have 4 or 5 days out of 30 days in which they might have some chance to escape up to their spawning grounds and spawn their eggs and produce fish for the coming season and the future. This measure is in the interest of conservation. It is in the interest of protecting the fish for the future. It is designed to permit sufficient escapement so that the salmon runs will not be destroyed, as they are being rapidly destroyed under existing conditions. The packers themselves admit, every witness who has appeared before us, everybody who had anything to say upon the subject are unanimous in the statement that unless some effective methods are employed, and employed at once, it is but a matter of only a few years until we will not have any salmon left for the fishermen or the people or anyone else. I am opposed to this or any other amendment that has for its purpose the loosening up instead of the tightening up of this proposition. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. HADLEY].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Sec. 6. Any person, company, corporation, or association violating any provision of this act or of said act of Congress approved June 26, 1906, or of any regulation made under the authority of either, shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or imprisonment for a term of not more than 90 days in the county jail, or by both such fine and imprisonment; and in case of the violation of section 3 of said act approved June 26, 1906, as amended, there may be imposed a further fine not exceeding \$250 for each day the obstruction therein declared unlawful is maintained. Every boat, seine, net, trap, and every other gear and appliance used or employed in violation of this act or in violation of said act approved June 26, 1906, and all fish taken therein or therewith, shall be forfeited to the United States, and shall be seized and sold, under the direction of the court in which the forfeiture is declared, at public auction, and the proceeds thereof, after deducting the expenses of sale, shall be disposed of as other fines and forfeitures under the laws relating to Alaska. Proceedings for such forfeiture shall be in rem under the rules of admiralty.

That for the purposes of this act all employees of the Bureau of Fisheries designated by the Commissioner of Fisheries shall be considered as peace officers, and shall have the same powers of arrest of persons and seizure of property for any violation of this act as have United States marshals or their deputies.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I voted for the McKeown amendment and I voted for the Sutherland amendment as amended. I received last night a telegram from California. It is dated San Francisco, April 7, 1924, and reads as follows:

SAN FRANCISCO, CALIF., April 7, 1924.

HON. JOHN E. RAKER,

Washington, D. C.:

As distributors of canned salmon, some 30 years, our attention is drawn to White bill, H. R. 8143, for consideration Wednesday morning, April 9. We understand amendments to this bill will eliminate fish-trap rights in Alaska; believe this should be left to Bureau Fisheries to determine. Furthermore, object another amendment, that of Congress fixing percentage of escapement all streams in Alaska at 50 per cent. This should vary with different conditions and Bureau Fisheries should govern. Also believe that the closed season, from Saturday night until Monday morning, feature of bill should be removed. Canning season is short and this feature would increase price salmon as food commodity. Furthermore, bill should not be effective until January 1, 1925, as present plans for this season's business have already been made. As this is large Pacific coast industry in which many Californians are interested would ask you kindly endeavor remove these amendments before passage.

GRIFFITH DUNEY CO.

The other telegrams were received by me opposing the Sutherland amendment. I believe in conserving the fish. I believe in protecting this industry, and giving these men proper care and attention, but I can not vote to turn over the salmon industry to a few concerns, although they do come from California, and therefore I just took this opportunity to say publicly, that notwithstanding the urgent appeals from these good people in San Francisco, who really own and control the fishing industry in Alaska, that my duty as a Representative from California compels me to vote against it. This seems to be my plain duty in the premises. I desire to ask that I may insert the other two telegrams in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California. [After a pause.] The Chair hears none.

The telegrams are as follows:



SAN FRANCISCO, CALIF., April 7, 1924.

JOHN E. RAKER,

*House of Representatives, Washington, D. C.:*

House bill 8143 vests President with discretionary power to create fishing reserves in Alaska and regulate fishing therein. This protects public interest and is unobjectionable to packing companies, provided it is not made effective until 1925. Alaska Delegate proposes drastic amendments, which are unnecessary to protect fisheries and are highly detrimental to industry in which millions of California money is invested. We respectfully request that you oppose amendments when bill is reported to House on April 9.

BRISTOL BAY PACKING CO.,  
ALASKA SALMON CO.,  
141 Clay Street, San Francisco.

SAN FRANCISCO, CALIF., April 7, 1924.

Hon. JOHN E. RAKER,

*House of Representatives, Washington, D. C.:*

Understand Congress will probably consider House bill 8143 next Wednesday and that Delegate SUTHERLAND may offer drastic amendments. Request that you oppose any attempt to amend bill.

NORTH PACIFIC TRADING &amp; PACKING CO.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk resumed and concluded the reading of the bill.

Mr. GREENE of Massachusetts. Mr. Chairman, I move that the committee do now rise and report the bill and amendment with the recommendation that the amendment be adopted and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 8143, had directed him to report the same to the House with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask for a separate vote on the Sutherland amendment.

The SPEAKER. The question is on the amendment.

Mr. CHINDBLOM. Mr. Speaker, a point of order; the gentleman asked for a separate vote.

The SPEAKER. There is only one amendment.

The question was taken, and the Speaker announced the yeas seemed to have it.

On a division (demanded by Mr. RAKER) there were—yeas 48, noes 48.

Mr. RANKIN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 182, nays 139, not voting 111, as follows:

## YEAS—182.

|                |                |                  |                  |
|----------------|----------------|------------------|------------------|
| Abernethy      | Crisp          | Hull, Iowa.      | Major, Mo.       |
| Allen          | Croll          | Humphreys        | Mansfield        |
| Almon          | Crosser        | Jacobstein       | Martin           |
| Arnold         | Cullen         | James            | Mead             |
| Aswell         | Cummings       | Jeffers          | Milligan         |
| Ayres          | Davey          | Johnson, S. Dak. | Minahan          |
| Barkley        | Davis, Tenn.   | Johnson, Tex.    | Montague         |
| Beck           | Dickinson, Mo. | Johnson, W. Va.  | Mooney           |
| Bell           | Dickstein      | Jones            | Moore, Ga.       |
| Berger         | Doughton       | Keller           | Moore, Va.       |
| Black, Tex.    | Drewry         | Kent             | Morehead         |
| Bland          | Driver         | Kincheloe        | Morgan           |
| Bloom          | Evans, Mont.   | King             | Morris           |
| Bowling        | Favrot         | Kopp             | Morrow           |
| Box            | Fisher         | Kunz             | Nelson, Wis.     |
| Boyce          | Fulbright      | Kvale            | Nolan            |
| Boylan         | Fulmer         | LaGuardia        | O'Connell, R. I. |
| Brand, Ga.     | Gallivan       | Lampert          | O'Connor, La.    |
| Briggs         | Gardner, Ind.  | Lanham           | Oldfield         |
| Browne, Wis.   | Garner, Tex.   | Lankford         | Oliver, Ala.     |
| Browning       | Garrett, Tex.  | Larsen, Ga.      | Oliver, N. Y.    |
| Buchanan       | Gasque         | Lee, Ga.         | Park, Ga.        |
| Bulwinkle      | Gilbert        | Lilly            | Parks, Ark.      |
| Busby          | Glatfelter     | Lineberger       | Peavey           |
| Byrns, Tenn.   | Goldsborough   | Linthicum        | Pon              |
| Cannon         | Greenwood      | Logan            | Prall            |
| Carew          | Hammer         | Lowrey           | Quin             |
| Carter         | Harrison       | Lozier           | Ragon            |
| Casey          | Hastings       | Lyon             | Rainey           |
| Celler         | Hayden         | McFadden         | Raker            |
| Clancy         | Hill, Wash.    | McKeown          | Rankin           |
| Collins        | Howard, Nebr.  | McReynolds       | Reed, Ark.       |
| Connolly, Tex. | Howard, Okla.  | McSwain          | Richards         |
| Cook           | Huddleston     | McSweeney        | Robison, Ky.     |
| Cooper, Wis.   | Hudspeth       | Major, Ill.      | Rogers, N. H.    |

Romjue  
Rouse  
Rubey  
Sabath  
Sanders, Tex.  
Sandlin  
Schafer  
Schall  
Schneider  
Shallenberger  
Sherwood

Sites  
Speaks  
Steagall  
Tillman  
Stedman  
Stengle  
Stevenson  
Strong, Kans.  
Summers, Tex.  
Swank  
Taylor, W. Va.  
Thomas, Ky.

Thomas, Okla.  
Thompson  
Tillman  
Tucker  
Underwood  
Vinson, Ga.  
Vinson, Ky.  
Voigt  
Ward, N. C.  
Wefald  
Weller

Williams, Tex.  
Williamson  
Wilson, Ind.  
Wilson, Ia.  
Wilson, Miss.  
Wingo  
Wolf  
Woodruff  
Wright

## NAYS—139.

Ackerman  
Aldrich  
Andrew  
Bacharach  
Bacon  
Barbour  
Beedy  
Begg  
Bisler  
Blanton  
Boles  
Brand, Ohio  
Burtness  
Burton  
Butler  
Cable  
Campbell  
Chindblom  
Christopherson  
Clague  
Clarke, N. Y.  
Cole, Iowa  
Colton  
Cooper, Ohio  
Crowther  
Dallinger  
Darrow  
Dickinson, Iowa  
Dowell  
Dyer  
Elliott  
Evans, Iowa  
Fairfield  
Faust  
Fenn

Fitzgerald  
Fleetwood  
Foster  
Fredericks  
Free  
Freeman  
French  
Frothingham  
Fuller  
Garber  
Gifford  
Graham, Pa.  
Green, Iowa.  
Greene, Mass.  
Griest  
Hadley  
Hardy  
Haugen  
Hawley  
Hersey  
Hickey  
Hoch  
Holaday  
Hull, William E.  
Johnson, Wash.  
Kearns  
Kendall  
Ketcham  
Kless  
Lea, Calif.  
Leavitt  
Leibach  
Little  
Longworth  
McLaughlin, Mich.

McLaughlin, Nebr.  
McLeod  
MacGregor  
MacLafferty  
Madden  
Magee, N. Y.  
Magee, Pa.  
Manlove  
Mapes  
Merritt  
Michener  
Miller, Wash.  
Moore, Ohio.  
Moore, Ind.  
Murphy  
Nelson, Me.  
Newton, Minn.  
Newton, Mo.  
O'Sullivan  
Perkins  
Perlman  
Purnell  
Ramseyer  
Ransley  
Reid, Ill.  
Roach  
Robinson, Iowa  
Rogers, Mass.  
Rosenbloom  
Sanders, N. Y.  
Sears, Nebr.  
Shreve  
Simmons  
Sinnott  
Smith

Snell  
Snyder  
Stalker  
Stephens  
Strong, Pa.  
Summers, Wash.  
Swing  
Swoope  
Taber  
Taylor, Tenn.  
Temple  
Thatcher  
Timberlake  
Tinker  
Tinkham  
Treadway  
Vaile  
Vare  
Vincent, Mich.  
Wainwright  
Ward, N. Y.  
Watkins  
Watson  
Weaver  
Welsh  
White, Kans.  
White, Me.  
Williams, Mich.  
Winslow  
Winter  
Wood  
Wurzbach  
Yates  
Young

## NOT VOTING—111.

Allgood  
Anderson  
Anthony  
Bankhead  
Beers  
Black, N. Y.  
Britten  
Browne, N. J.  
Brumm  
Buckley  
Burdick  
Byrnes, S. C.  
Canfield  
Clark, Fla.  
Cleary  
Cole, Ohio  
Collier  
Connery  
Connolly, Pa.  
Corning  
Cramton  
Curry  
Davis, Minn.  
Deal  
Dempsey  
Denison  
Dominick  
Doyle

Drane  
Eagan  
Edmonds  
Fairchild  
Fish  
Frear  
Funk  
Garrett, Tenn.  
Geran  
Gibson  
Graham, Ill.  
Griffin  
Hawes  
Hill, Ala.  
Hill, Md.  
Hooker  
Hudson  
Hull, Morton D.  
Hull, Tenn.  
Johnson, Ky.  
Jost  
Kahn  
Kelly  
Kerr  
Kindred  
Knutson  
Kurtz  
Langley

Larson, Minn.  
Lazaro  
Leatherwood  
Lindsay  
Luce  
McClintic  
McDuffie  
McKenzie  
McNulty  
Michaelson  
Miller, Ill.  
Mills  
Moore, Ill.  
Morin  
Mudd  
O'Brien  
O'Connell, N. Y.  
O'Connor, N. Y.  
Paige  
Parker  
Patterson  
Peery  
Phillips  
Porter  
Quayle  
Rathbone  
Rayburn  
Reece

Reed, N. Y.  
Reed, W. Va.  
Salmon  
Sanders, Ind.  
Scott  
Sears, Fla.  
Seger  
Sinclair  
Smithwick  
Sprout, Ill.  
Sprout, Kans.  
Sullivan  
Sweet  
Tague  
Taylor, Colo.  
Tilson  
Tydings  
Underhill  
Upshaw  
Vestal  
Wason  
Watres  
Wertz  
Williams, Ill.  
Woodrum  
Wyant  
Zihman

So the amendment was agreed to.

The Clerk announced the following pairs:  
Until further notice:

Mr. Graham of Illinois with Mr. Jost.  
Mr. Wason with Mr. O'Connor of New York.  
Mr. Reed of New York with Mr. O'Brien.  
Mr. Cramton with Mr. Sullivan.  
Mr. Langley with Mr. Clark of Florida.  
Mr. Patterson with Mr. Drane.  
Mr. Williams of Illinois with Mr. Salmon.  
Mr. Denison with Mr. Kindred.  
Mr. Rathbone with Mr. McClintic.  
Mr. Parker with Mr. Lazaro.  
Mr. Kahn with Mr. Corning.  
Mr. Reed of West Virginia with Mr. Tydings.  
Mr. Frear with Mr. Byrnes of South Carolina.  
Mr. Wertz with Mr. Allgood.  
Mr. Gibson with Mr. Upshaw.  
Mr. Funk with Mr. Hooker.  
Mr. Beers with Mr. Tague.  
Mr. Wyant with Mr. Black of New York.  
Mr. Davis of Minnesota with Mr. Woodrum.  
Mr. Seger with Mr. Dominick.  
Mr. Luce with Mr. Taylor of Colorado.  
Mr. Morin with Mr. Geran.  
Mr. Sprout of Kansas with Mr. Hill of Alabama.  
Mr. Anderson with Mr. Peery.  
Mr. Brumm with Mr. Hull of Tennessee.  
Mr. Edmonds with Mr. Collier.  
Mr. Mudd with Mr. Kerr.  
Mr. Mills with Mr. McDuffie.  
Mr. Tilson with Mr. Rayburn.  
Mr. Anthony with Mr. Griffin.  
Mr. Connolly of Pennsylvania with Mr. Bankhead.  
Mr. Fish with Mr. Johnson of Kentucky.

Mr. Porter with Mr. Lindsay.  
 Mr. Michaelson with Mr. Quayle.  
 Mr. Kurtz with Mr. Sears of Florida.  
 Mr. Sinclair with Mr. Eagan.  
 Mr. Wurzbach with Mr. Connery.  
 Mr. Vestal with Mr. Browne of New Jersey.  
 Mr. Watres with Mr. McNulty.  
 Mr. Cole of Ohio with Mr. Smithwick.  
 Mr. Curry with Mr. Hawes.  
 Mr. Hill of Maryland with Mr. Garrett of Tennessee.  
 Mr. Paige with Mr. Deal.  
 Mr. Moore of Illinois with Mr. Buckley.  
 Mr. Sweet with Mr. Canfield.  
 Mr. Sanders of Indiana with Mr. O'Connell of New York.  
 Mr. Miller of Illinois with Mr. Doyle.  
 Mr. Burdick with Mr. Cleary.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### STEAMBOAT INSPECTION SERVICE

Mr. GREENE of Massachusetts. Mr. Speaker, I call up Senate bill 1724, to amend section 4414 of the Revised Statutes of the United States, as amended by the act approved July 2, 1918, to abolish the inspection districts of Apalachicola, Fla., and Burlington, Vt., Steamboat Inspection Service.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Mr. GREEN of Massachusetts. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the first paragraph of section 4414 of the Revised Statutes of the United States, as amended by the act of Congress approved July 2, 1918, be, and is hereby, amended by striking out the words "Apalachicola, Fla.," and "and Burlington, Vt.," and by inserting the word "and" immediately before the words "Point Pleasant," so that the said paragraph as amended shall read as follows:

"SEC. 4414. There shall be in each of the following collection districts, namely, the districts of Philadelphia, Pa.; San Francisco, Calif.; New London, Conn.; Baltimore, Md.; Detroit, Mich.; Chicago, Ill.; Bangor, Me.; New Haven, Conn.; Michigan, Mich.; Milwaukee, Wis.; Willamette, Oreg.; Puget Sound, Wash.; Savannah, Ga.; Pittsburgh, Pa.; Oswego, N. Y.; Charleston, S. C.; Duluth, Minn.; Superior, Mich.; Galveston, Tex.; Mobile, Ala.; Providence, R. I.; and in each of the following ports: New York, N. Y.; Jacksonville, Fla.; Tampa, Fla.; Portland, Me.; Boston, Mass.; Buffalo, N. Y.; Cleveland, Ohio; Toledo, Ohio; Norfolk, Va.; Evansville, Ind.; Dubuque, Iowa; Louisville, Ky.; Albany, N. Y.; Cincinnati, Ohio; Memphis, Tenn.; Nashville, Tenn.; St. Louis, Mo.; Port Huron, Mich.; New Orleans, La.; Los Angeles, Calif.; Juneau, Alaska; St. Michael, Alaska; and Point Pleasant, W. Va.; Honolulu, Hawaii; and San Juan, P. R., one inspector of hulls and one inspector of boilers."

SEC. 2. That the seventh paragraph of section 4414 of the Revised Statutes of the United States, as amended by the act of Congress approved July 2, 1918, be, and is hereby, amended by striking out the words "and Apalachicola, Fla.;" and "Burlington, Vt.;" and by inserting the word "and" immediately before the word "Bangor," so that the said paragraph as amended shall read as follows:

"For the districts of Pittsburgh, Pa.; New Haven, Conn.; Savannah, Ga.; Charleston, S. C.; Galveston, Tex.; New London, Conn.; Superior, Mich.; and Bangor, Me.; and the ports of Dubuque, Iowa; Toledo, Ohio; Evansville, Ind.; Memphis, Tenn.; Nashville, Tenn.; Point Pleasant, W. Va.; Jacksonville, Fla.; Tampa, Fla.; Louisville, Ky.; and Cincinnati, Ohio, at the rate of \$2,100 per year for each local inspector."

SEC. 3. That this act shall be effective on and after the date of its approval.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### THE McNARY-HAUGEN BILL

Mr. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the McNary-Haugen bill by printing certain questions I addressed to the Illinois Agricultural Association, their reply to the same, and my comments thereon.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing certain questions he addressed to the Illinois Agricultural Association, their reply to the same, and his comments thereon. Is there objection? [After a pause.] The Chair hears none.

Mr. RAINEY. Mr. Speaker, on March 12 last, I received a communication from Hon. S. H. Thompson, president of the Illinois Agricultural Association, demanding that I support the McNary-Haugen bill "earnestly, unqualifiedly, and actively" and that I vote for it.

I at once addressed a number of courteous questions to Mr. Thompson in his representative capacity asking him to answer them as soon as possible, so that I could print my questions and his answers in the CONGRESSIONAL RECORD. Over three weeks after he received my communication he sent me the answers which I now print in the CONGRESSIONAL RECORD.

I print first, however, my reply to his answer, and after that my question and his answers to the same.

REPLY OF HON. HENRY T. RAINEY, MEMBER OF CONGRESS FROM ILLINOIS, TO COMMUNICATION OF HON. S. H. THOMPSON, PRESIDENT OF THE ILLINOIS AGRICULTURAL ASSOCIATION, WHICH WAS MAILED IN CHICAGO, APRIL 2, 1924.

WASHINGTON, D. C., April 9, 1924.

MY DEAR MR. THOMPSON: On March 12 I received from you, speaking for the Illinois Agricultural Association, an emphatic "demand" that I actively support and vote for the McNary-Haugen bill.

In your communication you advised me that you had called together your farm bureau presidents to study this measure, and that 88 of them on March 6 last, in convention assembled in Chicago, studied this measure and all the other measures for relief pending before the Agricultural Committee and unanimously reached a conclusion that the McNary-Haugen bill was the "soundest legislation" among all the proposed relief measures, and your "demand" therefore came as the result of this conference.

Having received from you such a peremptory demand, I at once sent to you a communication containing a number of courteous questions and requested a speedy reply, inasmuch as the matter was being considered by the committee and might come up soon in the House. As an Illinois Farm Bureau member I was entitled to a courteous answer to my inquiries, and I think also to an answer within a reasonable period of time. As a Member of Congress representing an agricultural district and charged with responsibilities, I was entitled to a courteous and speedy answer.

On April 4, three weeks and two days later, I received your reply. Your reply is dated March 31, but the envelope shows it was not mailed from Chicago until April 2. Before the date of your letter and on March 30, you sent out to newspapers what purported to be a résumé of your answers to my questions, but which was in reality a slanderous personal attack on me, insinuating that I was improperly influenced by certain interests. I received newspapers from my district containing this attack before I received your answer. Your evident intention was that the venom of your malicious reply should sink deep before I had an opportunity to answer. Do you, representing the farmers of Illinois, regard this as fair treatment? Was it even good "sportsmanship"? Was it not in reality malicious and cowardly?

A few days after you received my questions, however, you came all the way to Washington, and to my office, to tell me verbally, in effect, that you were unacquainted with questions of finance and economics, and that you could not answer. In other words, you were a frank and avowed incompetent, and at the expense of the farm bureau members of Illinois, of whom I am one, you came all the way to Washington to tell me this. You need not have gone to that expense and trouble. Evidence as to your incompetency is ample, and you need not even have admitted it.

I addressed a telegram to you in duplicate as soon as I received your letter, sending it to you at Quincy and Chicago, asking you who wrote your letter, and telling you that I wanted this information before I answered it. I have waited until to-day, and you have not had the courtesy to reply to that communication, although I asked you to reply by wire. You did not write the letter. You have simply permitted yourself to become a sewer through which some wild-eyed Bolshevik has poured a personal attack on me. In some way in addressing to you courteous questions I seem to have been guilty of lese majesty.

When in this reply I refer to "your letter" please understand that I know you did not write it.



I am going to print your letter, however, with this answer in the CONGRESSIONAL RECORD, as I said I would; and I also print it because it is a literary curiosity. I doubt whether in any article of similar length so much personal abuse, so many scandalous statements, so many direct falsehoods, so many statements of economic untruths, have ever been assembled.

You speak, however, for a powerful organization in Illinois, with many thousand members, and therefore your letter requires a reply.

#### A \$300,000 BUDGET AND A CHALLENGE

A recent issue of the *Prairie Farmer* brings to me the information that the 1924 budget of the Illinois Agricultural Association amounts to \$300,000. And that paper also very properly calls attention to the fact that this is "a tremendous amount of money to be spent by a farmers' organization, and the responsibility on the officers to see that this money is wisely expended, and in such a way as to secure real results from the membership, is a heavy one." I quite agree with this suggestion of the *Prairie Farmer*. Farmers of Illinois are not making any money this year, but the demands of your association on them for dues have not been lessened. Your association has its offices in Chicago in many rooms sumptuously furnished, with a large personnel of highly paid people—with a large number of clerks and stenographers; with lecture rooms; mahogany desks and swivel chairs for your principal officers. Do you not think it is proper for the farmers of Illinois to find out how you propose to expend this fund, and how you have expended the funds they have contributed in the past? How much of it are you going to expend this year in sending highly paid lecturers out through the State of Illinois preaching the doctrines of Bolshevism, to which you now seem committed? How much of it have you spent for this purpose in the past? Who were these lecturers? To what political party did they belong? Those I have heard have all belonged to one political party, and some of them have been candidates for office in Illinois at the time you sent them out. I have never heard that your accounts have been audited. Will you be willing to select a competent firm of accountants to investigate your accounts and find out what you have been doing with all the money you have been collecting from farmers in Illinois? Will you be willing to let me see the accountants personally whom you may select before they commence their investigations, and make some suggestions to them as to what they should investigate? Will you be willing to have them examine the vouchers you have received? *How much did the junket of the 88 farm bureau presidents in Illinois to Chicago, and their entertainment, cost the farmers of Illinois?* I addressed a letter to your organization some time ago asking for this information, but, of course, have received no reply. This junket must have cost the farmers of Illinois a considerable amount of money—not less than \$2,000, and probably much more than that. And what a wonderful convention it must have been to have reached its conclusions so quickly.

The committee in charge of the many farm bills for relief here in Washington have been considering these bills for months, and they have been considering them for three weeks since you made this "demand" on me, and have agreed to very material amendments to the bill you "demanded." I support unqualifiedly—just as it was.

Who presented these matters to this convention of farm bureau presidents? Was the other side of the question presented at all? Unquestionably not, or their decision could not have been unanimous. And, if the case was presented to them as you have presented it to me in your reply to my questions, it was unfairly and untruthfully presented.

#### THE CHALLENGE

Will you be willing to meet me this summer in joint debates before the farm institutes of Illinois to discuss the merits of the bill you are championing, if the remedy it proposes should still be an issue at that time; and will you accept my challenge also to discuss at that time the conditions in your bureau, its extravagant expenditures, its junkets—including your own? As these facts may be disclosed by the investigation I have suggested, I would like to have an answer to this challenge at some reasonable time in the future. If you decline to accept it on the theory that you are incompetent to discuss these questions, then I respectfully insist that you should resign the high position you now hold and permit some one to be elected president of the Illinois Agricultural Association who is capable of defending it and who will accept the challenge I have tendered you. I will pay my own expenses over the State. Yours, of course, will be paid out of contributions made by the farmers of Illinois.

#### EXPANSION AND FIAT MONEY

In your answer to my communication you consume much space in your denial that the scrip to be issued by this bill will operate to expand our currency, and you advise me that my suggestions are "ill informed" and "almost without coherence." In reply to this I desire to suggest that many prominent financiers (all of them that I have heard from) do not agree with you, but hold that it, together with the obligations you expect to issue, will operate to expand our currency and will be an increase in our "circulating media" without the slightest increase in our gold base. The scrip you propose to issue is

absolutely "fiat." The purchaser of any of the basic commodities enumerated in your bill is compelled to pay good money for a certain amount of scrip and purchase it from a postmaster. The scrip on its face will, of course, indicate the amount of dollars paid by the purchaser for it, and the scrip so issued can be passed from hand to hand just as any "circulating media" is passed from hand to hand. It may be tendered and accepted as payment for any article sold in any market. It will be more uncertain in value than the German mark or the French franc, and is to be finally, at some remote time, at least a year after its issue, redeemed in good money with a gold base in an amount expressed in dollars and cents. Its ultimate redemption value will be determined not by any method before this time applied by any commercial State to its circulating media. Its value will depend upon the losses sustained by the corporation created by the proposed law, and, of course, the amount of losses will be highly speculative. This scrip will be hawked about and sold in bucket shops and on exchanges exactly as German marks and French francs are now disposed of. It will be more highly speculative, however, in its values than either the German mark or the French franc. In amount it may easily exceed one-fifth of the entire volume of currency we now have in circulation, and in addition to that the bill proposes to permit the corporation it creates to issue bonds, and evidences of indebtedness to an unlimited amount, all of which will have a speculative value; and in order to keep them from having a real value there is to be included in every bond so issued a statement to the effect that although its issue is authorized by the Government, the Government will not guarantee the payment of any part of it. I understand from your rather obscure references that you admit an issue of bonds of this kind could be expansion, and your answer to my questions in this particular also clearly establishes that it is expansion of the most dangerous character.

#### INCREASE IN NUMBER OF GOVERNMENT EMPLOYEES

In reply to my suggestion in this particular you nonchalantly say that as a result of this legislation "there will not be many thousand employees." I wonder if you know how rapidly the number of officeholders and others who derive their incomes from the taxes farmers pay is increasing. For example, in 1897 we had 237 "deputies and agents" on the Federal pay rolls, and it was claimed there would not be any more. In 1907 the country was startled to know as the result of a speech made on the Senate floor by a great Senator that the number of "deputies and agents" had increased to 3,000. Do you know how many there are now? At present there are over 25,000 deputies and agents on the Government pay rolls, and nonchalantly you say that the organization you hope to create will not "add many thousand to this number." The number of officeholders and pensioners who draw \$500 a year and more than that from the Government and Federal bondholders who draw as much as \$500 a year and more than that from the Government have increased enormously, until there are now 5,000,000 of them. Counting them and their dependents, there are between 25,000,000 and 30,000,000 in the United States who derive their income out of taxes paid by farmers and others. There are only about 15,000,000 people in the United States who are engaged in work as real wealth producers, and over half that number are farmers. Therefore every farmer in the United States has now on his shoulders two wealth consumers, and you propose to add to that number "not many thousand."

#### THE GOVERNMENT IN BUSINESS—BOLSHEVISM

You deny vigorously and repeatedly in a number of places in your answer that the Government will be involved in business or industrial operations of any kind if this bill becomes a law. This statement you so repeatedly make is either the result of dense ignorance as to what the bill contains or is willfully false. Under the "special powers" in the bill you indorse the corporation created is authorized "to acquire, construct, maintain, and dispose of or acquire the rights of operation of" the following facilities: Storage warehouses; facilities for transportation; facilities for processing the commodities mentioned in the bill; and the commodities mentioned in the bill are "wheat, flour, corn, raw cotton, wool, cattle, sheep, swine, or any food product of cattle, sheep, or swine."

What happens when you acquire, construct, or maintain any of these things? The only limitation contained in these powers is "that there shall not be acquired by purchase or construction" a railroad or other facility for transportation unless the commission also created by the bill approves of such purchase or construction, and that is not much of a limitation. You can acquire any of the other things mentioned even by purchase or construction without asking the commission appointed by the bill for its approval. The term "acquire" is broad indeed, and if this bill is constitutional it might also include confiscation; and what are the facilities for processing the commodities above described? Why, of course, flour mills, packing houses, stockyards, woolen mills, cotton mills, etc. What are you going to do with storage warehouses, railroads, flour mills, cotton mills, woolen mills, and all the other facilities for processing these commodities when you acquire them, or construct them, or lease them? Is the Government going to permit them to remain idle? It will require



many billions of dollars to accomplish all this, if it is to be accomplished by construction or purchase. If the Government is not going to transact business in these various facilities when they are constructed or acquired, what is the Government going to do with them? Permit them to stand idle? Why will not the bill you indorse put the Government into business under the "special powers" section of the bill to which I have called attention? And, under this section of the bill, if it can be passed and if there is enough public sentiment in this country to permit it, this great country in a day can swing into Bolshevism. As a result of the Russian revolution, Lenin and Trotzki never attained greater powers than you demand that Congress shall confer in this bill upon the commission and the corporation you create in the bill; and if all these powers can be conferred, will it not easily follow that the Government will take over also the land as the soviets of Russia did after the revolution? The Bolshevik organizations in Chicago, which plan the overthrow of this Government, and are financed with Russian gold for that purpose, must be delighted with the things you expect to accomplish in this bill. No reign of terrorism they can ever initiate, with its attendant murders and burnings, could ever accomplish more than you seek to accomplish in this bill. A reading of the section to which I call attention makes further comment along this line absolutely unnecessary.

You insist that the bill does not create a new department of the Government—it simply authorizes a corporation and a commission to do these things, and that the expenses are to be sustained by the farmers, and if there is any loss it will be sustained by the farmers. What sheer nonsense this statement is. To start with, the bill takes \$200,000,000 from the Treasury of the United States and gives it to a corporation which is authorized to issue scrip and bonds, both in an amount absolutely unlimited. It is estimated that the personnel that will be required to carry on these tremendous operations will be second only to the personnel of the Post Office Department. What's the use of splitting hairs as to terms? This bill, in fact, creates a department of this Government—I do not care what you call it—more important, more far-reaching in its possibilities than all other departments of this Government combined.

You insinuate in your answer that I have a "mentor"—that I am influenced by certain special interests. I deny and resent this slanderous insinuation, but if I do have a "mentor," and if I am controlled in reaching my conclusions by special interests, I hope I do not have the same "mentor" you evidently have, and I hope I am not controlled by the same interests which evidently control you. You ask me what I have read on this subject.

Do you know who drew the bill for which you stand? Do you know with what special interests he is connected—and most questionably connected? Have you read those records which are easily available and which disclose the character of his activities in the past? For fear you have not, I am going to call your attention to him, and to suggest something for you to read.

#### CHARLES J. BRAND

The bill you champion was drawn by a Socialist who is employed here in the Department of Agriculture. The bill was prepared by Charles J. Brand. That fact is understood here in Washington. I know him and he told me he drew it. I am going to tell you something about him. You can easily verify my statements by reading available public documents. The Federal Trade Commission here in Washington in 1917 and 1918, while investigating the Swift files found in the files a document. It had many of its passages underscored in red. It went into detail as to certain methods of meeting and overcoming the result of the investigation of the packers under the Borland bill. At that time Charles J. Brand was at the head of the Bureau of Markets of the Department of Agriculture, and these documents so discovered show that Mr. Brand was to be persuaded by the packers while he was Chief of the Bureau of Markets to juggle figures for them—I now quote from the document so found—"so as to prove conclusively that at no time over any period long enough to be reliable does the profit of the packer on beef vary more than, say, 25 cents per head," etc. In order to bring this about Brand was to start the development of a publication that was to be known as "Brand's Automatic Best Seller." An appointment was to be made for Mr. Brand to address a great agricultural convention in a southern State, at which he was to inaugurate his program of misrepresenting things for the packers. En route to the convention—I quote again from the document so discovered in the packer's files—"it was agreed that Mr. Louis F. Swift, Mr. G. F. Swift, jr., or Mr. Harold H. Swift should show Mr. Brand some attention while he was in Chicago, but it was not decided definitely just what that would be." In the light of the investigations now in progress and the startling disclosures of corruption and bribery which are being developed, it is perhaps not difficult to imagine what attention Mr. Brand was to receive in Chicago at the hands of the packers, although at the time the document in question was written it may not have been decided definitely just what it would be. Bob McManus was a notorious packer lobbyist here in Washington, and the letters so found in the packer files contained a further statement that—I quote again from the document—

"Mr. McManus is on very familiar terms with Mr. Brand, and could perhaps handle the matter as satisfactorily as anyone." If you have not read this report of the Federal Trade Commission, I suggest that you get it and read it. The letters taken from the packer's files contain many more damaging statements than I have enumerated above with reference to Mr. Brand, and Mr. Brand is the author of the bill you have indorsed.

#### A PACKERS' BILL

The bill you have indorsed may, in reality, be a packers' bill. If the "special powers" section does not plunge the country into Bolshevism, the bill will be a packers' bill, and, of course, it was drawn by a friend and an expert representative of the packers. The great flour-mill industries of the country are vigorously opposing this bill, but the packers are not. I have not heard of serious opposition from the packers and there will be none. This bill furnishes them with an opportunity to completely crush their rivals, the independent butchers and the small packing houses.

In denying in your letter that this bill will put the Government in the packing business, you intimate that what you hope to be able to do is to commission existing grain, cotton, meat company, etc., to manufacture the products you expect to buy or to process the same; the corporation you create to pay for the same out of the money it derives from the sale of scrip, etc. It frequently happens that 400,000 to 500,000 food animals are disposed of in the great Chicago markets in a single week. When you declare any emergency to exist in the price obtained for food animals, you, of course, are compelled to buy until you raise the price to the ratio price you establish. What are you going to do with them when you buy them? It would be quite an undertaking to have on your hands in a week 400,000 or 500,000 food animals. You must, of course, "process" them, and if you have not "acquired or constructed" or leased the facilities for doing it, you must pay the packers for doing it. What if they refuse to do this processing for you? You must meet, of course, the charge they make for it. The bill furnishes no method of compelling them to do it for you. I do not think in time of peace a law could be enacted that could compel packing houses, cotton mills, or any of the other facilities contemplated in your bill to work for your corporation or your commission. Packers, of course, would demand exorbitant fees. The attempt, then, to raise prices to the ratio price would contemplate, of course, a combination between the great packers and the agency you create by this bill. Can you conceive of a bigger or more destructive trust than this would be? And where would the local butchers and the independents come in? The Government in combination with the packers would crush every one of them in less than a month. Of course, your corporation would quickly expend all of its capital stock—its bonds and scrip would be worth absolutely nothing in a short space of time—and would collapse of its own weight. It would contemplate an expenditure of hundreds of millions of dollars to accomplish this. The Government could lose, or, if you prefer, the corporation created by the Government, and the farmers who will have risked so much. The inevitable collapse of the corporation you create would leave the packers in absolute and undisputed control of these markets. The bill in this particular alone would inflict upon agriculture a loss in a few days from which it could not hope to recover during the present generation. It would make more real Bolsheviks in this country than Russia will ever be able to make, no matter what may be her expenditures of gold here for that purpose. But you must remember that this processing will continue indefinitely as to all the other basic agricultural articles enumerated in this bill.

#### THE TARIFF

I read in amazement the statement in your letter that "when we enacted the tariff we omitted the farmer from protection." I am wondering if you really believe that statement, or if it is prompted by dense ignorance of our tariff laws, or if it is a deliberate falsehood. It is one or the other of these three things. The farmer has had protection since the farmers' emergency tariff bill in 1921 on every basic commodity mentioned in this bill, except hogs, and he has had protection on hogs amounting to \$1.50 a head since the general tariff bill of 1922, and the protection given him on all these articles is proportionately as large when reduced to equivalent ad valorem as is given to any other articles in the entire tariff schedules, including textiles. This was one of the promises made in the last national Republican platform and one of the promises which was kept literally. In addition to the protection on all the articles embraced in this bill the farmer was given protection on everything else he produces. Protection was also extended to all possible derivatives or substitutes for any of these things and to all processed articles derived from anything the farmer produces. For three years the farmer has been living under this protection, and you do not seem to have found it out. The protection he has received in terms does not differ in the least from the protection given anyone else, and it is just as high, perhaps higher. I might mention that I am the author of the law which established the United States Tariff Commission, designed to take the tariff out of partisan politics, and for many years I have worked for this proposi-



tion. I am not going to discuss it now from a partisan standpoint, but simply to call attention to facts. Of course, the items in the bill which pretend to give protection to farmers were bunk propositions, intended to be effective only in the elections, and they have so proven to be. The farmer sells his surplus on a foreign market; so does the manufacturer; but the farmer can not curtail his production. The manufacturer can curtail production, and when he is confronted with less demand in the home market and abroad for his product at prices which do not yield him the profit he desires he closes down, just as mills are now closing down. The farmer can not do this. He must keep on working and producing, no matter what price the market will pay, and he must keep on exporting. Therefore, in his case protection has failed. It did not do any good to tell farmers before the last election that it would fail. They did not believe it. They know it now. Again I quote from your letter, and, for the first time, with much interest and also with approval:

"You ask us to call your attention to a single instance in the world of a satisfactory maintenance of price of food products over a considerable period of time. We gladly hasten to comply—the American doctrine of protection as applied to every food product except those of which we export surplus."

You are right about it. I thought you might answer the question that way, and that was one reason for asking it. The doctrine of protection does raise the price of food products. This does not help the farmer any. The food products he raises are processed before the tariff comes in, and then the tariff helps the manufacturer. It increases his profits.

The farmer buys back from them for his own consumption the processed food products he himself produces, charged with the added profits to the manufacturer made possible by the tariff. You are right about it. It is perfectly plain, and is also perfectly plain that the tariff increases the price of every other article the farmer is compelled to buy, and the tariffs which increase the price to the farmers of these products are the acts of 1921 and the acts of 1922, passed under the present administration, which repealed the low tariff rates in effect during the prior administration. The tariff of course increases the price of everything the farmer is compelled to buy. The increased price the farmers will be compelled to pay this year alone for the things they are compelled to buy will be three times the amount the entire wheat crop of the country will bring this year. You enter into an obscure and labored discussion as to how you propose to maintain for farmers the ratio price by applying the pre-war price for a period of years to an all-commodities price as established by 404 commodities in the market at the present time. I have read and studied your letter carefully. This proposition is stark nonsense. It can not be done. If it were possible to inaugurate it and to carry it out, it would start a vicious circle of wage and price increases which would result in tremendous disaster to the farming industry. All the bill proposes to accomplish by this intricate and absurd process is to restore fair exchange value to the articles the farmer produces. Of course that is the result we all want to obtain. But, inasmuch as you have admitted that the tariff raises the price of the things the farmers are compelled to buy, why not establish the pre-war exchange value of farm products by simply lowering the price of the other commodities; and if the increases in the tariff which have occurred in the last three years have raised these prices—and you admit they have—will not a removal of the tariff decrease them? Why, of course it will. Then why not simply remove the tariff and give to farm products the exchange value they had under the low rates of the tariff bill which was in effect when the exchange value you seek to reestablish in fact existed? Is not this an easy and logical way to do it?

You find fault with me in your letter for not suggesting a method for relieving farmers. I did suggest in my questions this method—not in these terms, perhaps. You will find the suggestion in the next to the last paragraph of the communication containing my questions addressed to you, which you do not seem to have had either the intelligence to understand or the fairness to comment upon. I simply make it here again, in another way, and in connection with the admissions I knew you would make. What do you think of it? How are you going to answer it? Is not it the easiest method yet proposed of alleviating the farmers' condition?

#### BENEFICIAL RESULTS OF THE McNARY-HAUGEN BILL

In your communication to me you say, "Not once in your entire screed do you refer to the beneficial result of this bill to the farmer." Your answer to me makes the matter very plain. It has removed any doubt I ever had as to the bill. There can be no beneficial results to the farmer from this bill. Enacting it into law would be like administering a dose of poison to a dying man. It would quite complete the disaster to which the unfortunate leadership of the past three years has subjected him. The bill can not be amended to make it any better. It is basely wrong. Thirty days of its operation would do the farmer more harm than he can recover from in 30 years.

You intimate in your letter that you are afraid I am not going to support the McNary-Haugen bill. This is the first correct conclusion you have reached. Your own letter to me has made the matter absolutely plain. The bill is dangerous and unsound in every particular.

#### DEVELOPING OPPOSITION TO THE BILL

I am not alone in the conclusions I have reached as to the unsound and most dangerous character of the bill you champion. The Oklahoma Wheat Growers' Association is against it, and that industry is quite as important in Oklahoma as it is in Illinois. I note your attacks in your answer to me on the Oklahoma Wheat Growers' Association. I am not going to answer them. They have demonstrated they can take care of them. Their leaders are not Bolsheviks, and have no sympathy with Bolshevism. Great agricultural papers in Missouri, Iowa, Wisconsin, and other States are now opposing this measure. Within the last three or four days Governor Davis, of Kansas, himself a practical farmer, has refused to support this measure. The secretary of the Kansas Board of Agriculture declined at a recent meeting in Topeka to sign a memorial asking Congress to support this measure. It is a hopeful sign that all over the country opposition from the farmers and the farm newspapers is crystallizing rapidly against the bill.

GEORGE E. ROBERTS

George E. Roberts is the financial adviser of the greatest financial institution in the world. For many years he was Director of the United States Mint. He is recognized as an expert in matters of finance. His advice is sought after everywhere. He is the author of many pamphlets on finance and economics. He is the author of *Money, Wages, and Prices*, a standard publication on these subjects. I copy here a letter I received from him as to the propriety of the questions I submitted to you, and as to whether they are pertinent or not in the matters they suggest. I prefer his approval to the combined approval of all the Bolsheviks in Russia and the United States, including the approval of the gentleman who wrote your letter for you. His letter is dated April 1, and reads as follows:

"MY DEAR MR. RAINEY: I was greatly interested to receive the copies of your questions addressed to S. H. Thompson, of the Illinois Agricultural Association, relative to the McNary-Haugen bill, and also your circular letter of the 24th instant.

"I am pleased to see that you are against the measure, which seems to be on the whole about the most preposterous proposition for legislative action that I have ever seen obtain so much support.

"I am getting many letters upon the subject and would like very much to have a dozen copies of your queries and of your circular letter of the 24th instant, in order that I may inclose them in my letters upon the subject.

"Cordially yours,

GEORGE E. ROBERTS."

Since receiving the above letter I have received the following letter from him dated April 7:

"MY DEAR MR. RAINEY: I have your note of the 5th instant and accompanying copies of your questionnaire. When I wrote you before I had only dipped into it hastily. Since then I have read it all through and wish to congratulate you upon it. I think it makes a very effective exposure of the fundamental fallacies and complicated character of the measure.

"Cordially yours,

GEORGE E. ROBERTS."

#### THE TARIFF

The bill you champion can only be effective if the tariff is made a complete embargo on all the articles mentioned in the bill, and on all derivatives thereof, and all substitutes therefor, including, of course, all articles processed therefrom.

HON. THOMAS O. MARVIN, CHAIRMAN OF THE UNITED STATES TARIFF COMMISSION

I do not desire to discuss the above proposition with you, but to simply call attention to the testimony two days ago before the Ways and Means Committee of the chairman of the United States Tariff Commission. At the request of the Committee on Agriculture, the Ways and Means Committee of the House has undertaken to investigate the effect of the tariff propositions contained in the bill. I belong to the Ways and Means Committee of the House. The committee has not made its report. The hearings were had so recently they are not yet in print and are not available, and will not be for two or three days. The chairman of the commission appeared before the Ways and Means Committee, accompanied by his expert on agricultural matters, who also testified. Mr. Marvin is the leading tariff expert of the country. He holds the high position of chairman of the United States Tariff Commission. He is a man of talent, and of great ability, familiar with this subject. I sometimes differ with him as to the measure of protection which should be accorded. He belongs to the high protective tariff school and is a Republican. Therefore, what he has to say can be construed most strongly against the position you occupy. I have known him for many years. When I first knew him he was secretary of the Home Market Club of Boston, standing for the highest protective tariff rates. After that he was editor of the *Protectionist*, a high tariff organ. Of course, under the law, which a man of his conscientious characteristics observes strictly, he is now engaged in no business or occupation and devotes all of his time to the very important questions of tariff which come before the commission. The



tariff testimony in full, so far as it relates to this bill, will soon be available. I recommend that you get it at once and read it. Without comment I quote here some extracts from Mr. Marvin's testimony:

"Hon. THOMAS O. MARVIN (chairman of the United States Tariff Commission). The rate would practically have to be an embargo rate.

"Mr. MILLS. Then, for all practical purposes they might just as well put in this bill that an embargo shall apply under these conditions?

"Mr. MARVIN. Unquestionably, the simpler, the more direct way of accomplishing the purpose would be that.

"Mr. RAINEY. Mr. Marvin, the embargo proposition you are discussing must extend only to these basic raw agricultural commodities under this amended bill; isn't that true?

"Mr. MARVIN. Do you eliminate the articles made from those basic products?

"Mr. RAINEY. That is what I am going to come to. Apparently from this bill it is limited in this amended bill to basic agricultural commodities enumerated in section 2 of the bill.

"Mr. MARVIN. Yes.

"Mr. RAINEY. The bill contemplates a possible dumping at very low prices abroad, perhaps lower than here, of the raw commodities produced in the United States. They may be dumped abroad at less than they are sold for here?

"Mr. MARVIN. Yes, sir.

"Mr. RAINEY. Now, we have a tremendous railroad mileage which extends into the sections of the country, with its various ramifications, where they produce these raw commodities, in the West and in the Middle West. What is to prevent these raw commodities from being carried across the border into Canada—and, of course, they are valueless as foodstuffs or for any other purpose unless they are processed—and what is to prevent them from being processed in Canada, just across the border, and if they are processed there the innumerable products, the breakfast foods, and everything else that goes with it, can be brought in at the present tariff rates, so far as this bill is concerned. Now, in order to make it effective would it not be necessary to increase the tariff not only on these raw commodities but on these innumerable other processed commodities?

"Mr. MARVIN. Unquestionably so.

"Mr. RAINEY. To keep them from being brought back into the United States?

"Mr. MARVIN. Yes, sir.

"Mr. RAINEY. And if you follow this phraseology in section 301, as they propose to amend it, which merely seeks to establish a tariff embargo on the basic raw commodities, if you follow it up and make it effective, would it not be necessary to raise the tariff on every derivative from these commodities; otherwise those derivatives, almost innumerable, would be brought back and sold at such a low rate as to disturb the entire economic structure of this country?

"Mr. MARVIN. That seems absolutely correct to me.

"Mr. HAWLEY. I think you will want to reflect on that a little before you admit the correctness of it.

"Mr. MARVIN. Well, Mr. HAWLEY, if a price is established, say, for wheat at 59 cents above the level of prices in the world market, the increased cost of producing the products made from wheat must bear, of course, that increased price of wheat. If the duty on flour, feeds, and other wheat products were not increased the wheat products would come in and make it impossible to sell the processed wheat products made in the United States. There would be no market for them because of the lower price at which the imported products could be sold, and there would be no market really for the producer of wheat. The corporation that is provided for here, it seems to me, might be called upon to take not only the surplus wheat but practically a very large part of it.

"Mr. HAWLEY. That concedes, then, that all of the industries which manufacture wheat products will or may be transferred out of the United States, and I do not believe that would happen.

"Mr. MARVIN. Well, I would not go so far as to say that they would all be. There will be some parts of the United States where transportation rates and local conditions would make it impossible, perhaps, for the foreign competitive article to reach that market, but a very considerable part of the market would be affected.

"Mr. YOUNG. You are speaking now of breakfast foods and other things of that kind made out of wheat?

"Mr. MARVIN. Yes, sir. I was only using wheat as an illustration. It is not, perhaps, as good an illustration as some of the other commodities.

"Mr. MARVIN. To meet an emergency a measure what I regard as an emergency measure has been proposed. It is in conflict with the operation of economic law. You can not repeal the law of supply and demand. Temporarily you can modify its effects, but

in the attempt to change or to modify the effect of economic laws results will be produced that are not contemplated at the start, and will probably cause a great deal more distress, danger, and trouble than the remedy proposed. \* \* \* Attempts have been made through the centuries to accomplish that purpose, never successfully. You have seen the recent attempts in Russia, the efforts to socialize all industry, to control all industry by government decree, and the collapse of a mighty empire is the result. \* \* \* It seems to me, Mr. Chairman, that the adoption of a provision of that kind could result only in untold confusion.

"Mr. RAINEY. This bill attempts to do some things that England tried to do 70 years ago and failed.

"Mr. MARVIN. Yes, sir; and you recall, was it not about 1845 that England repealed her corn laws?

"Mr. RAINEY. And I recall also that it resulted ultimately in a free-trade England.

"Mr. MARVIN. Yes, sir."

I have answered your communication. I hope I have made my position plain. I again repeat my challenge—for you to meet me in debate before audiences of farmers after the adjournment of Congress this summer. I regret I can not now leave my official duties, or I would insist that the debates occur at once.

Very truly yours,

HENRY T. RAINEY,

Member of Congress, Twentieth District of Illinois.

In re McNary-Haugen bill.

Mr. Speaker, I now print in the RECORD my courteous communication of March 12 last, in which I addressed to Mr. Thompson, as president of the Illinois Agricultural Association, certain questions concerning the McNary-Haugen bill. I follow it with the reply I received from him dated March 31, but which he did not mail until April 2, and which was given out to the press even before the date it bears:

M'NARY-HAUGEN BILL—HENRY T. RAINEY TO ILLINOIS AGRICULTURAL ASSOCIATION

WASHINGTON, D. C., March 12, 1924.

Hon. S. H. THOMPSON,

Illinois Agricultural Association,

608 South Dearborn Street, Chicago, Ill.

MY DEAR MR. THOMPSON: I am in receipt of your communication in the matter of the McNary-Haugen bill. I am studying the bill now. It contains many most objectionable features. I think if it passes it will be vetoed by the President.

I am a farmer, and live on my own farm, and farm it myself. I am also a member of the farm advisory committee of 15, appointed by our Illinois State University, and am therefore much interested in this subject.

I started out with the intention of supporting this bill, if possible, for the reasons that farm organizations were endorsing it. But the more I study it the less I think of it. I am assuming that the Illinois Agricultural Association in a matter as important as this is to agriculture has thoroughly studied the question before committing itself to the proposition, and before the association reached the conclusion to "hereby request, urge, insist, and demand that our Representatives in Congress earnestly, unqualifiedly, and actively support and vote for this emergency relief measure and use all their influence and power to secure the enactment of this measure at the earliest possible date."

The Illinois Agricultural Association, therefore, has so thoroughly committed itself to this measure that I feel that I am entitled to be advised by you, representing the association, as to some of the proposals in the bill which seem to me to be exceedingly objectionable. I am anxious to have your views as to the matters which I will attempt to outline. Inasmuch as the matter may come up very soon, and inasmuch as you speak for the Illinois Agricultural Association, I am therefore urging and insisting that you furnish me a discussion from your viewpoint of the matters I suggest below at the earliest possible moment:

1. The bill proposes an issue of "scrip," which will evidently not be less in amount than \$200,000,000 or \$300,000,000; and if the bill is made to apply to all the commodities enumerated in the bill, the issue of "scrip" may amount to several times that amount. The only thing we know definitely about this issue, as to its value, is that it will never be worth its face. It will not on its face purport to be legal tender, but it can be passed from hand to hand just as a coupon bond is passed from hand to hand.

(a) Under the above circumstances will it not in reality operate to bring about a period of expansion in our currency?

(b) An issue of "scrip" of this kind may amount to as much as one-fifth of our present circulating medium. Would not its issue in the amounts I have indicated, or even in smaller amounts, in effect increase our circulating medium without increasing in the least our gold base?

(c) Do you think farmers would be satisfied with a "scrip" issue in part payment for their wheat, which will have an indefinite value, and which may have no value?



2. Inasmuch as the "scrip" in question can be passed from hand to hand, and inasmuch as it is redeemable in the hands of the ultimate holder when the time comes to redeem, will it not always have a speculative value; and is it not likely to be quoted in bucket shops and similar places; and will not its vague and unsettled values have a demoralizing effect on agriculture and commerce generally in the United States?

3. When the law is applied to the livestock industry, as it will be, will not the law make it necessary for the Government to go into the business of slaughtering and packing food animals? Can you think of any way by which, under this bill, the entry of the Government into this great industry, one of the greatest in the world, can be avoided?

(a) It could be avoided, of course, by resorting to the primitive methods of long ago and exporting food animals alive. Would you advise that the Government resort to this obsolete method? What would the effect on agriculture be if we turned back the clock of progress in marketing and handling food animals and resort to these methods abandoned so long ago?

(b) Have you any idea as to what immediate investment the Government would be required to make in packing plants, stockyards, terminals, etc.?

(c) What would the effect of the entry of the Government be into the packing business upon the great packing industry we now have in the United States?

(d) How would the Government's entering into an industry of that kind, involving perhaps the expenditure of billions of dollars in railroad switches, terminals, yards, packing plants, cold-storage warehouses, refrigerator cars, etc., be financed?

(e) Would you finance it by issuing "scrip"?

(f) Would you finance it by a Federal bond issue?

(g) If by a bond issue, would you issue tax-free bonds?

(h) What effect would a bond issue of this kind have upon our market at the present time, when Government  $4\frac{1}{2}$  per cent bonds are not yet selling at par?

(i) Would it not have the effect of still further depressing on the market the value of bonds now in the hands of citizens of the United States?

(j) What interest rate would you make? If a  $4\frac{1}{2}$  per cent Government bond will not sell at par now, what rate would you expect to make these bonds in order to get purchasers to take them at par?

(k) If you make a higher rate than  $4\frac{1}{2}$  per cent, would it not still further decrease the market value of our outstanding issues?

4. In view of the fact that the expenses of the Government are continually increasing; that all classes of Government employees are demanding, and will receive very soon, largely increased compensation, is it not time to keep the Government out of business as much as possible, especially when that business will involve an additional indebtedness of the Government and more interest for taxpayers to pay?

5. Do you not think the vague, indefinite method of maintaining a price level provided for in this bill is unworkable and impracticable, and that in the end the farmer will be the greatest sufferer from its imposition, if it should become a law?

6. The bill applies to wool. When we import more than half our requirements of wool, how can a ratio price affect wool, the object of this bill being essentially to take care of our exportable surplus, and by obtaining the very best world price for our exportable surplus keep up the domestic price? In the matter of wool, however, we have no exportable surplus. We use twice as much wool as we produce.

7. Would not the ratio price of cotton be now below the present price? Under these circumstances, what benefit would cotton derive from this bill?

8. Please explain how this bill can be arranged so as to apply to hogs and cattle in such a way that the farmer will be benefited to any degree by its application.

9. Is it not true that it is intended that the bill have no real application except as to wheat?

10. If wheat is to be the only product upon which the law will operate, is it not true that the remaining products are put into the bill for political purposes only, in the hope that farmers will be fooled into believing they are going to get some advantage out of the passage of this legislation?

11. Inasmuch as Congress so far has passed every piece of alleged remedial legislation farm organizations have asked, is it not time to inquire into what benefits farmers have derived from the legislation presumably passed at the demand of the farm bloc in Congress and agricultural associations?

(a) Has the farmer benefited by the protective tariff Congress has given him on practically everything he produces?

(b) I notice that hogs are now going up on the Chicago markets. Is this due to the protective tariff?

(c) Would it not be advisable for the Illinois Agricultural Association to advocate a reduction in the tariff on all articles the farmer buys?

(d) Is it the position of the Illinois Agricultural Association that the tariff does not add to the price the farmer pays for things he is compelled to purchase?

12. Can you explain why the bill does not include in its provisions rye, oats, and barley?

(a) Is it not true that in certain countries to which we export wheat rye is used interchangeably with wheat, and the price of wheat is affected very directly by the price of rye?

(b) If the above is true—and I think you will answer that it is—then why not include rye in the provisions of this bill?

13. If we raise artificially the price of all farm products to correspond with the level of prices of all commodities, will we not be compelled also to raise the all-commodity index; and if we do that, how in point of fact can we ever get these prices into adjustment with the basic ratio price?

14. Where is the ratio price to be applied? Is it to be based on New York, Chicago, or some other point?

(a) Will there be different ratio prices for all these terminals?

(b) How will the ratio price be reflected back to the farmer through the local elevator?

(c) There are a number of classes of wheat and a number of grades within each class, and how can the intrinsic value of each class and grade to the miller be controlled by ratio prices established by the Government?

(d) If the miller buys the grade which represents the best value for the ratio price, what will be the effect on the market of the less valuable grades?

(e) Will not the miller buy only on a limited basis; will he not buy wheat only to fill orders he is able to get for flour at a price which will protect him?

(f) Is it not true that the miller will be unable to make flour for the export trade at all unless he is assured against loss?

(g) Is there any authority in the bill by which the miller can be indemnified against possible loss?

(h) If he is not indemnified against loss, will he not desert the foreign field for his products?

(i) What effect would this have upon the farmer if the miller refuses to take chances and engage in the business of exporting flour?

15. Is it not true that the consumption of wheat in the United States fluctuates from one year to another more than 1 bushel per capita—110,000,000 bushels a year?

(a) Is it not true that wheat is harvested somewhere in the world every month in the year?

(b) If to each of the above questions your answer is "yes," then how is it possible to estimate months in advance the questions of production, exportable surplus, or foreign prices?

(c) If it is impossible to so estimate in the above matters, how can a ratio price be established?

16. What will be the expense of the operation of the agencies of the Government contemplated in this bill?

(a) How many employees will there be?

(b) Will there not be many thousand employees?

17. Does not the ultimate value of the "scrip" depend upon the loss made on foreign sales and the expense of operating the Government's agencies? If the "scrip" so issued depends on these uncertain elements, and if it can be transferred, does it not present a splendid opportunity for speculation and fraud?

(a) If it does furnish such opportunities, are the penalties provided sufficient, inasmuch as they are only civil penalties?

18. At the present time there are frauds in every department of the Government so far investigated, and civic honesty seems to be at a discount. Even Cabinet members have been bribed.

(a) When conditions are as above indicated, is it not unwise to create another department such as is contemplated in this bill, and with a large personnel of officials, all of whom would be subjected to unusual temptations in the matter of bribes, etc.?

19. During the period of the World War, and since then, is it not true that every sort of experiment in Government control of food prices has been tried in this country and abroad?

(a) Can you point to any method so far adopted by this Government in the matter of controlling food prices which has been successful?

(b) Has not every method adopted so far in numerous bills passed by Congress, all of which your organization has advocated, resulted merely in increasing the overhead of farmers by giving them more enticing opportunities for borrowing money?

(c) Will you call my attention to a single instance in the world of a satisfactory maintenance of price of food products over a considerable period time?

20. Is it not true that the only way to maintain a price is to have a buyer willing and able to take everything offered at the price specified?

(a) Will this bill have that effect?

21. If the fixed price is high enough to do the farmer any good, will it not have the effect of increasing the acreage?

(a) Your answer to the above must, of course, be yes; and if the acreage is increased and the production of the product is continually increased, will not the increased production make it always more and more difficult to maintain a price level?

22. In the same mail which brought me your letter this morning I received information to the effect that the Oklahoma Wheat Growers' Association, consisting of 11,000 producers of wheat, denounce the McNary-Haugen bill as a new and dangerous burden to be borne by the farmer.

(a) Oklahoma is a great wheat-producing State. They produce about as much wheat as we do in Illinois. In 1920 they produced over 54,000,000 bushels. In that year we produced in Illinois only 45,000,000 bushels. The 1920 wheat production in Oklahoma is a larger production than we have ever attained in Illinois from 1909 to the present time, except in 1922, when we produced slightly more than this.

(b) Oklahoma farmers are more vitally interested in wheat than Illinois farmers. Their production of corn in Oklahoma is negligible as compared to our production. They produce usually about one-fifth as much corn in Oklahoma as we produce.

(c) It is therefore reasonable to suppose that the Oklahoma Wheat Growers' Association have given as much study to the subject as the Illinois Agricultural Association.

(d) How do you account for the absolutely different conclusion reached by the Oklahoma wheat experts as contrasted with the conclusion your organization has reached?

(e) What is a Member of Congress to do when two agricultural organizations equally important and equally interested reach such absolutely different conclusions?

(f) Under these circumstances, do you think you have the right to demand that a Member of Congress from Illinois shall "unqualifiedly and actively support and vote for" the McNary-Haugen bill?

23. Under the advice of agricultural organizations in Illinois, including, I think, the Illinois Agricultural Association, farmers have been urged to restrict wheat acreage and to use wheat land for other crops in order to bring up the price of wheat.

(a) Acting upon this advice, a great many farmers in Illinois have sown less wheat. If the position of the proponents of this legislation is correct and the McNary-Haugen bill produces a better price for wheat, how can you square yourself with those farmers who have accepted your advice and who have sown less wheat?

24. Would not the McNary-Haugen bill put the Federal Government actively into the grain business?

(a) Your answer, of course, must be in the affirmative to the above question. If the Government goes actively into the grain business, can you think of any reason why it should not engage in other kinds of business? And if it engages in other kinds of business, why not in all other kinds of business?

(b) Is your proposition, therefore, not socialistic? Will it not lead to the same results if carried out logically that the movements in Russia have attained?

(c) But the Russian Soviets could not succeed in any measure until they took over also the land. Would you not regard this result as destructive of all our ideals and of civilization itself?

(d) Fortunately, however, even in Russia the Government has now abandoned the control of land and has commenced recently to recognize absolute free trade in bread grains.

(e) Do you not think the Russian experiment, with its dead numbering over 7,000,000, ought to dissuade our people from proceeding in that direction?

(f) Would we not be proceeding in that direction if we accepted in this particular the advice of the Illinois Agricultural Association?

25. I have commenced to receive communications from farm bureaus in Illinois, evidently inspired by your letter to me, which I am now discussing. These communications are all couched practically in the same language, and all "insist that our Representatives in Congress unqualifiedly and actively support and vote for" the McNary-Haugen bill.

(a) Do you contend that the farm bureau advisors, who are now sending these resolutions to Members of Congress, have studied the question, or have they simply accepted your advice?

(b) If they have studied this most important question and reached these conclusions for themselves, how does it happen that in their resolutions they use the exact language you use in your communication to me?

(c) Do you really think a conscientious Member of Congress ought to be influenced by propaganda of this kind, or do you think he ought to reason these matters out and study them carefully?

(d) Do you think a Member of Congress ought to become a mere rubber stamp to record the impressions of the Illinois Agricultural Association?

#### MEMORANDA

I have suggested hurriedly above only a part of the objections which occur to me now to the legislation you so enthusiastically champion, and I am asking for a full and satisfactory reply from you before I can consent to vote as you have demanded that I vote in this matter.

You will pardon me, I am sure, for imposing upon you the burden of replying to this communication, but, inasmuch as you "demand" that the Representatives in Congress from Illinois unqualifiedly and actively support the McNary-Haugen bill, I feel that I have the right to demand and unqualifiedly insist that you, as the head of the Illinois Agricultural Association, which stands for this bill, favor me with a reply to all the above suggestions, so that I can print in the CONGRESSIONAL RECORD, if possible in parallel columns, this letter of inquiry addressed to you and your reply to the same.

I realize that agriculture is in a deplorable condition, but it can be made much worse than it is by the adoption of dangerous methods of relief. Since the World War many suggestions have been made for stabilizing prices, ranging from the commodity dollar of Irving Fisher (which seems plausible and possible) and the "barley dollar" of some of the Balkan States to the vague and indefinite agricultural "scrip" proposed by this bill. It would be much easier for me, in an agricultural district like mine, so far as the next election goes, to accept your suggestions and avoid the implied threat which goes with them than to oppose this bill. But a Member of Congress is required to take an oath and assume an obligation in all these matters, and therefore before making up my mind unqualifiedly to support the measure for which you stand I am addressing this communication to you. If your answers are satisfactory and remove the doubts in my mind, I will support it. If your answer is not satisfactory, I expect to vote against the bill as it stands now.

Inasmuch as I have immediately responded to your letter (I received your letter of March 10 only a few minutes ago), I am asking you to show me a like courtesy by immediately responding to this communication, so that in reaching my conclusions I can have the benefit of your reply. I am assuming, of course, that you have studied the question and that you are an expert in these matters, and therefore your answers will have great weight with me and, I am sure, with many other Members of Congress.

It has become the habit in this dangerous period of our economic life as a nation for Members of Congress to vote for a measure upon the theory that it is the only relief proposed, and that while it is not everything that could be desired, still it promises something. This is the excuse many Members of Congress make for supporting some of the vague, indefinite propositions now submitted. The passage of a measure, however, so revolutionary as this measure, so destructive of all our present systems of exchange and marketing, involving the possible destruction of the present primary markets for farmers, is fraught with grave possibilities and may result in untold injury to an industry which is now almost prostrate.

Farmers of the country are in a desperate condition. I do not think you can allay their suspicions nor restore their confidence by handing to them in part payment for things they produce a "scrip" about the value of which we can know nothing except that it will not be worth its face value. With reference to this method of payment, the farmer can only definitely know that he will never get the agreed price for his products. He can never know what the price will be. It does not appear to me now from the study I have so far given the question that this measure will appease the unrest which prevails to-day in agricultural circles, and if it does not have that effect it will only increase the farmer's suspicions and his distrust of his Government and its agencies.

It seems to me that what the farmer needs most of all are consuming units abroad for his products who are able to pay a price for his surplus, which will enable the American farmer to obtain a living wage on his farm. Under an unfortunate leadership this country has abandoned its relations with other nations and is pursuing a policy of isolation. Whenever we abandon our policy of isolation and assume those world responsibilities which are ours and do our part toward quieting the distrust of each other which prevails among nations which consume our surplus food products then we will have done much in the matter of restoring that confidence to food-consuming nations, which will enable them to engage again in industry and earn the money with which to pay the prices they ought to pay for our surplus.

It seems to me now the "scrip" issues provided for in this bill constitute a "flat" currency not dreamed of before since the capitalistic period commenced in the world by any considerable responsible group in any commercial nation in the world.

Very truly yours,

HENRY T. RAINEY,

Member of Congress, Twentieth District, Illinois.

In re McNary-Haugen bill.

ILLINOIS AGRICULTURAL ASSOCIATION,  
Chicago, March 31, 1924.

HON. HENRY T. RAINEY,

House of Representatives, Washington, D. C.

MY DEAR MR. RAINEY: Your letter and memorandum of March 12, 1924, are at hand. We are in full concurrence with your conclusion that "farmers of the country are in a desperate condition"; that "agriculture is in a deplorable condition." We note your insistence that we reply immediately to your attack on the McNary-Haugen bill,



an insistence which you base on the assumption that we "have studied the question and are expert in these matters," but qualified by your fears that the communications you have received from farm bureaus are inspired by the officers of this association, since they are "all couched in practically the same language." You further fear that these farm bureaus who are now writing Members of Congress in favor of the bill have not studied the questions involved, have not reached conclusions for themselves, but are, on the contrary, victims of propaganda, impliedly ours. You complain that the whole demand for your support resolves itself into a wish that you should act as a rubber stamp.

You lay great stress on the similarity of language in all communications received by you in favor of this bill.

Is it pertinent to inquire whether you have seen the letter signed—and presumably composed—by SYDNEY ANDERSON to Mr. Selvig, of Crookston, Minn.? That letter also attacks the McNary-Haugen bill and, as shown in a reply to Mr. ANDERSON, seems to be based largely on the special interests of millers and grain men and to be opposed to the interest of farmers. We ask whether you have seen this letter because we, on our side, wonder whether you have studied the question addressed by your letter or whether you have merely accepted the conclusion of some other analyst. It must be remarked that there is an extraordinary similarity not only between the language in your letter and that of Mr. ANDERSON's but also in the general plan of your letter, its heads of argument, its conclusion, its misinformation, and its obvious source of inspiration. Can it be possible that you are concurring more with the special interests opposed to the bill than with the basic, underlying interest of American agriculture, which is simply another way of saying the interests of the general American public?

We ask these questions before we answer yours—and in the same communication in which we do answer yours—merely that we may stand on even ground in this discussion. There must be some dissemination of information and argument to the farmers of this country in respect of the measures being considered at Washington in their behalf, otherwise their needs must be left entirely at the mercy of those whose interests may not in all things be parallel with theirs and who have better methods than they of presenting to Congress of a particular point of view. But it has not been our observation that the outstanding individualist of our national community, the American farmer, takes his ideas ready-made from the hands of any man. The communications you and other Congressmen are receiving from the broad face of this country in increasing number represent a rapidly crystallizing opinion, based on the equity of a claim which we shall attempt to discuss more in detail in the latter paragraphs of this letter. If this be a representative Government, then we do think that a Member of Congress ought to record the impressions not of a particular association but of the constituents who chose him to represent them.

With these few words explaining our general point of view on the more critical assertions of your letter we will proceed to consideration of its argument.

You first ask whether the scrip proposed by the McNary-Haugen bill will not operate to "expand our currency." In the sense you are attempting to import into the discussion that it is a Government issue, not based on gold, the question is almost ridiculous. In the last paragraph of your letter you make your meaning clear when you call it "flat money." You are dealing in technical terms, with no knowledge of their intentment. The scrip is only evidence of a right to participate in a residue, by its very terms of less value than the face amount of the scrip. Currency is an obligation to pay a stated face amount; fiat money is paper stating a value plus a law requiring its acceptance at that value. This scrip is the direct antithesis of either. Therefore both of your suggestions of "inflation" and "flat" hardly merit a serious answer. The scrip is not a Government issue, in the first place; being of unnamed and uncertain value it is not even "negotiable paper." Specifically, the answer to your ill-considered and ill-informed question is "no."

To an extent all values upon which credit is based operate to "increase our circulating media," which is quite another thing. A higher price for any agricultural product would operate pro tanto to do this. The fact that a portion of the increase in price is represented by scrip of less than face value would tend to offset the expansion that would occur if the entire price were paid in cash. In short, the effect of the bill to increase price would increase the credit obligations in the money market, but the increase would be eminently sound, because the increased value would proportionately increase the basis of that credit. The effect of the issue of scrip as part of the price would tend to limit the increase, and whether it did or not your objection is without merit—even almost without coherency. If you object to the raising of the price of agricultural products to a fair exchange value (no higher) and base your objection on the ground that it would increase circulative media, then there is no more to be said. But since we all admit that the present price is less than cost of production, your opposition would reduce to this: That you advocate taking the farmer's crop away from him at less than its fair value, because to do otherwise would increase the circulation of evidences of credit granted. We regard this objection

as unworthy, if not immoral, and we feel sure that on careful thought you will abandon it.

Regarding the matter from another point of view, the bill establishes a corporation with power to buy and sell export products. It authorizes this corporation to emit its obligations in a very much smaller ratio than that employed by industrial corporations in financing their operations. To the extent that any debtor emits obligations of such sundries that they pass from hand to hand as negotiable paper he is increasing the media of commercial exchange. Such is the ordinary and salutary custom of the commerce of the United States. Such, but in much smaller proportion than is common in industry, would be the custom of this corporation. This latter custom is sound commercially and financially, and the objection to it on the ground that it "expands the currency" is merely a brave banner of words signifying nothing.

You ask whether farmers would be satisfied with a scrip issue in part payment for their wheat. If a farmer who now receives \$1 a bushel for his wheat, for example, has the choice of receiving \$1.55, 45 cents of the increase being in cash and 10 cents in scrip, will he refuse the 45 cents because the 10 cents is not in cash? We think the question answers itself.

You ask if the scrip will not have a speculative value. Of course it will have a speculative value. Wheat has a speculative value, and the speculation in scrip will have precisely the range of uncertainty that wheat now has—no more and no less. It may be quoted in bucket shops and similar places just as wheat is quoted—no more and no less. What boots it to the farmers or, indeed, to any other citizen that this is so, and why should it have any more "demoralizing effect on agriculture and commerce generally" than the speculative element in the value of wheat, corn, cotton, livestock, meat products, oil, or any other commodity of commerce?

Your third numbered paragraph partakes of the method of him who constructs a terrifying monster and then adds to the gaiety of the nations by girding on his armor, attacking it fiercely and boldly, and cutting it to pieces. You say that when the law is applied to the livestock industry it will make it necessary for the Government to go into the business of slaughtering and packing food animals, and you want to know how this enormous investment is to be financed, whether we have any idea of the amount of the investment, how the Government could enter into so complicated an industrial operation? You advert to this same argument elsewhere as though wheat were to be sold to millers only at the domestic price, thus preventing them from exporting flour, even as you think the bill would prevent the packers from exporting meat products because they could not compete with the lower foreign prices.

In all this you have simply misconstrued or neglected to read the bill. The latter is quite possible, since the objection appears elsewhere. The bill would not create any mechanism at all. Is there anything complicated or difficult in commissioning existing grain, cotton, meat, or milling companies to buy a product until price reaches a certain figure? Is there anything impracticable in commissioning the same or others to sell to export a certain quantity of the products purchased? Individual operators do this daily, single-handed and alone. Is there anything complex or difficult about allowing the owners of existing mechanism, commissioned to manufacture certain products for export, a differential representing the loss in export sales, and charging same to the corporation to be absorbed by the scrip fund?

You seem to forget that it is not a department of the Government that is entering these operations. It is only a corporation similar in nearly all respects to an industrial corporation which has been permitted by the Government—as all corporations must be permitted by State or National Government—to carry on certain operations. You entirely overlook the fact that it does not have to duplicate one single bit of existing machinery and that it will utilize existing machinery with the least disturbance to present methods and customs that it is possible to imagine.

You ask whether we do not think that the "vague, indefinite method of maintaining a price level provided for in this bill is unworkable." There is nothing vague or indefinite about the method proposed. Indeed, mathematics could scarcely be more incisive, emphatic, and accurate. You fear that the farmer will suffer by a restoration of his price levels to their pre-war exchange values. He is suffering enough now in all conscience, and if you will be kind enough to point out one head of suffering imposed by this bill we promise to consider it with the greatest care.

You are quite correct in saying that as long as we import wool, the tariff alone can be made to give the woolgrower ample protection.

We are amazed as to your inquiry as to "what benefit cotton would derive from this bill." We conclude that you have not given much time to the study of the history of cotton. Do you know that the tariff operates on the producer of a crop of which we export a surplus as a subsidy of industry at his expense? Do you know that this fact was the economic cause of the Civil War inaugurated by the cotton exporting South against the protected industrial North? One need go no further back than three years to find the time when the price of cotton was far below this pre-war exchange value. If the boll weevil and the parsimony of nature have, for a brief time, cured



this situation, surely you would not advocate bringing all other farmers of agriculture within the protection of the tariff but leaving the cotton farmer in his old inequitable position. As to any crop, at any time that its domestic price is above pre-war exchange value, the corporation simply would not function. The bill should be regarded as an amendment to the tariff law acting promptly and effectively for the protection of the farmer of any product whenever he needs protection and remaining dormant whenever he does not. At present the cotton farmer does not need the protection of the bill, but it will be there for his salvation when he does.

You ask us to explain how this bill can be arranged so as to apply to hogs and cattle. We have already done so in the answer to your apprehension lest the Government be involved in a great industrial operation, and if you have paid any attention at all to hearings of the bill you have already been fully answered.

You ask whether it is not true that it is the intention of the bill to have no real application except as to wheat, and suggest that the remaining products are put into the bill for political purposes only.

The answer is that the bill means just what it says, and, in so far as it restores equality to agriculture, it will have a most important political bearing. Concerning your suggestion that other products were included only to deceive, you are quite wrong. But suppose that the bill was intended only to relieve the wheat farmer at this time. Since it will relieve him, why should you object? Why should anybody object? Is it not true that the suggestion that the bill would apply only to wheat can not honestly be considered as an objection to the merits at all but must be branded for what it is—a piece of political claptrap intended to arouse the jealousy, the envy, and the opposition of those who, if sufficiently deceived and incited, might feel that, if there were no salvation for them they would see to it that there should be no salvation for anyone else? Is this statesmanship? Is this your meaning?

You ask whether the farmer has benefited from any legislation thus far passed in his behalf and especially whether he has benefited from the higher tariffs on agricultural products. The difference between the measures you mention and this bill is that they were not based on economic analyses addressed to the true cause of the farmer's trouble. You will have great difficulty in demonstrating that such is the case with the McNary-Haugen bill. It is the only measure yet proposed which has any bearing on the real cause of the agricultural depression which it meets fairly at every point, effectually corrects and beyond any possibility of doubt would immediately be effective to restore the pre-war exchange of the products to which it is applied. At no place in your argument do you contest this effect. In other words, here is a bill the essence and purpose of which is to raise the price of farm products no higher than to an equitable parity with the price of other products, and yet, in discussing this bill, you entirely overlook the fact, and content yourself with a repetition of the unsound and alarmist objections that have thus far characterized the opposition to the bill.

You ask us to explain why the bill does not include in its provisions rye, oats, and barley, and you say that in the countries to which we export wheat, rye is used interchangeably, and that the price of wheat is affected by the price of rye. The answer to your question is another question. Why should rye be included? The bill will not change the price of wheat in the foreign market; nor will it affect the relative consumption of wheat and rye in that market. In order that operations be not too greatly complicated the bill, making use of the knowledge that the price of rye is a complement of the price of wheat, contents itself with addressing wheat for the simple reason that it is unnecessary to include other small grains.

You ask whether by raising the price of farm products to correspond with the price of all commodities we will not be compelled to raise the commodity index; and if we do that you assert that we can never get prices into adjustment with the basic ratio price. We recognize this creaking old argument, and we know its source.

A rise of 20 points in the wheat index raises the general price index 1 point, and the lesser products have a fraction of this effect. Considering an example in which the figures are taken for convenience of computation, we shall suppose that the wheat index and the general price index both stand at 100. The bill passes and raises the wheat index to 120. This would raise the general index 2.5, to 102.5. This would raise the wheat price again to 120.75, which in turn would raise the general price index but a very small amount this time—0.1875 points, or to 102.6875. Up goes the wheat index, but only by 0.28125 on this calculation, which in turn raises the general price index an amount so small that it would not be considered—0.0140, or to 102.7015. On the next calculation the increment in the general price index would be only 0.00105; and since only two decimal points are computed the terrifying process is at an end. The argument is scholastic—"How many angels can stand on a needle's point?" If one cared to carry on these silly calculations he would find that, whereas restoration of wheat to its pre-war exchange value would raise the general price index 2.5 points, 10,000 subsequent calculations made on this nonsensical argument would not raise it another half

point, and every subsequent calculation would carry the increment another decimal point nearer zero. In other words, the increment rapidly becomes infinitesimal and would be disregarded in practice on the third calculation.

But in order to get a view of the morals of all these arguments, suppose it were literally true that restoration of fair exchange value to agriculture would raise the cost of living substantially. Pre-war exchange value means only cost plus a very small profit or no profit at all. Present prices mean a loss to the farmer on every pound or bushel sold. Argument for maintenance of the present condition is simply argument for taking the farmer's crop away without paying cost for it "justified" in this case by a desire to keep the cost of living down. Nearly every one of these arguments strips to a similar motive. The McNary-Haugen bill will pass not only because it is sound and right, but because the opposition to it is unsound and wrong.

Your next question as to where the ratio price is to be applied we shall answer simply by referring you to the operation of the United States Grain Corporation during the war. There is no difficulty here any more than there is in the present system, under which, as you know, the farmer farthest from terminals receives the least for his crop. Exactly the same answer applies to your question as to the grades which represent the values for the basic ratio price.

Your apprehension about the miller has also already been answered. Flour or pork are as much exportable surplus of wheat and swine as the raw material, and the bill recognizes this and provides for it. The corporation will absorb the difference between the domestic and the export price of wheat and swine purchased on the domestic market and sold as flour or pork for export.

It is quite true, as you say, that the consumption of wheat in the United States fluctuates slightly; that wheat is harvested somewhere in the world every month in the year; but, like the flowers that bloom in the springtime, these astute observations have absolutely nothing to do with the case in point, and your remarks that it will not be possible to estimate months in advance the questions of production, surplus, and foreign price, and therefore that it will be impossible to establish a ratio price, are equally inappropriate. The ratio price of any of these products bore to the general price index before the war and then computing what price would bear the same ratio to the general price index at such time. The questions you ask have nothing to do with this computation. Doubtless you did not get your mentor's question, and what you are trying to ask is how it will be possible to compute the proportion of price to be paid in scrip. It would be possible, for example, to take the widest range of price variation in experience, though it will not be necessary to do so. Even if that extreme precaution were thought necessary, the net result would be that the farmer would get a very much greater price for his product in cash than he now gets and a considerable addition to that increase as soon as the actual loss were determined.

You ask how many employees the new corporation will hire and whether there will not be many thousand. There will not be many thousand. The expense of operation will not be great. You are proceeding on what some one has told you the bill means. We have already shown you that the bill does not put the Government into industrial operations.

Your question as to whether scrip does not present a splendid opportunity for speculation, we have already answered. Your further question as to whether it does not present an opportunity for fraud is not very important, and we doubt whether it was intended to be very helpful. The question goes to excellence of administration of the law and not to the merits of the law. Your only observation on this head that is worthy of an answer is whether the penalties provided are sufficient to prevent fraud. You speak as though the only penalties against fraud and crime in the United States were to be found under this bill. Of course you know better.

Your eighteenth observation is one of the most amazing that has come to our attention. You say:

"There are frauds in every department of the Government so far investigated, and civic honesty seems to be at a discount. Even Cabinet members are bribed, and when conditions are as above indicated is it not unwise to create another department such as contemplated in this bill, and with a large personnel of officials, all of whom would be subjected to unusual temptations in the matter of bribes?"

This objection seems to say that you are convinced that the whole machinery of government ought to be thrown over, because it is rotten to the core. Such a sweeping conclusion puts our mind in doubt as to the conservatism of the balance of your argument. We have not seen any evidence of fraud "in every department of the Government so far investigated," and we do not believe that "civic honesty is at a discount." You are inaccurate when you say that the bill creates another department with a large personnel of officials. You are inaccurate when you say the bill offers unusual temptations in the matter of bribes. If you mean that bribery could affect the determination of the ratio price, you are wrong. The ratio price is determined under the



bill by a mathematical operation, and it is beyond the power of any person to affect it by an act of discretion. If you mean something else, you ought to say what you mean, because the bill offers no more opportunity for bribes and speculation than is offered in any private corporation or any other enterprise, public or private, of which we are aware.

You ask whether, during the period of the war and since then, it is not true that every sort of experiment in Government control of food products has been tried in this country and abroad. The answer is no. We would like to have you give us one instance of any such attempt, except, perhaps, the Brazilian coffee valorizations, some of which have been very successful. There were no attempts by this Government to fix food prices during the war. There were certain minimum prices guaranteed to produce production, and we fear that you are completely confused and misunderstood the war-time operations of this and other nations.

You ask whether bills thus far passed have not resulted merely in "increasing the overhead of farmers by giving them more enticing opportunities for borrowing money." We might ask what alternative the farmer has. He is operating at a loss. He has only two choices—to give up his farm or attempt to carry it against a hope in the future. He can do the latter only by borrowing money? What do you propose that he do?

You ask us to call your attention to a single instance in the world of a satisfactory maintenance of price of food products over a considerable period of time. We gladly hasten to comply—the American doctrine of protection as applied to every food product except those of which we export a surplus.

You ask whether it is not true that the only way to maintain a price is to have a buyer willing and able to take everything offered at the price specified. The answer is yes; and the more supply exceeds demand, the lower the price. When supply equals or about equals demand, price is usually cost of production plus a profit. Supply and demand without some qualification mean nothing or next to nothing. The demand for a product is all that is asked for at a certain price. The demand for a product at a low price is greater in quantity than the demand at a high price. The McNary-Haugen bill removes from the domestic market by a skimming process all of the product for which there is no demand at the pre-war price relationship. When this is done, you will find, beyond any question of doubt, that the domestic price of any of the products affected by the McNary-Haugen bill will bear the pre-war relationship to the general price index. The bill does not suspend the law of supply and demand. It utilizes it. The bill will have the effect of creating a situation in America where we shall have buyers willing and able to take everything offered at the price specified—that price a fair one. During these years have you heard of anyone refusing to take or eat our farm products? Demand has been avid. It is price that we lack.

You now ask another question that amazes us because we do not believe that you would ask it if you had given careful reflection to its real meaning and the inequitable position in which it automatically places its proponent. "If the fixed price is high enough to do the farmer any good, will it not have the effect of increasing the acreage?"

In the first place, there is nothing so attractive about a pre-war price relation—reduced, be it remembered, by the loss on export—as to persuade anybody to increase acreage. This is not a measure to inflate price. It is only a measure to stop loss.

In the second place, the effect of increased production to reduce price will be far more certain and emphatic than it is now. The holdback in scrip will be directly proportioned to the surplus, and will be the most significant warning against inflated production that could well be imagined.

In the third place, the pre-war price relationship crystallized the pre-war acreage. Only that relationship is proposed. Logically only that acreage will ensue and, because we have a considerably increased population since then, at least that acreage should be maintained. And if the argument be "even so; let them keep the pre-war acreage but do not restore the pre-war price relation" (and it is only to this that the argument can reduce) then it is a bold, bald argument in favor of depriving agriculture of all profit—an argument immoral, unworthy, and unutterable.

In the fourth place, who cares if it does increase production? Not the American people, for no matter how great the surplus, price to them can never rise above the pre-war relationship by that cause, and under the bill will never fall below. The only person who is interested in the harmful effect of increased production is the farmer. He and he alone stands the loss on surplus.

But how much is he affected? Let us take the most extreme case. Suppose restoration of pre-war prosperity (scant enough in all conscience) should raise production to the extreme limit of reasonable possibility—1,200,000,000 bushels of wheat, for example. Suppose we consider 900,000,000 a normal crop and 600,000,000 a normal domestic consumption. How does this hellish fault affect the farmer? He is the only one concerned.

To-day without the bill and the swollen surplus he would get, let us say, \$900,000,000 for his crop—\$1 per bushel.

With this bill and the increased surplus he would get \$1.50 for the domestic consumption, \$900,000,000. For the 600,000,000 bushels of surplus he would get only \$600,000,000—\$1,500,000,000 for the whole crop as against \$900,000,000 to-day. One dollar and twenty-five cents per bushel for 1,200,000,000 bushels against \$1 per bushel for 900,000,000 bushels—an increase of 66⅔ per cent in income, 25 per cent in unit price, and since the unit cost of the larger quantity would be far less than that of the smaller, an increase considerably above 25 per cent in net profit. The public would not suffer by so much as one cent in the price it paid but it would be gainer by an increase of some \$600,000,000 in national income and increase in national wealth.

The whole argument of increased production due to the McNary bill is a scarecrow. As a matter of fact, the correlation of American crop quantities would prevent such increase in price and the great good fortune just related. The production of a 600,000,000 surplus by reason of this bill is a wild dream, and if it were not so, as just shown, it would be too good to be true.

The argument reacts upon itself in another way. Every fair person must admit that the farmer should have a fair exchange value for his product. If he is to have it, it will be a price equal to or greater than that obtained for him by the McNary-Haugen bill. On the argument suggested by the question you ask, however, if that price is attained it must increase the acreage. In other words, you are in the position of saying that while you yearn for a fair deal for the farmer you can not give it to him because it would increase the acreage given over to the particular crop in question.

In your next paragraph you bring forth the arguments contained in the resolution of the Oklahoma Wheat Growers' Association.

It is truly pitiful to read that resolution, because it reveals how grievously these gentlemen have been deluded by some one who has much to answer for. The resolution starts by saying, "The act carries with it all of the features necessary to arbitrary control of the prices of farm products, \* \* \*. The object of said bill is to fix and control prices \* \* \* and the act provides for a small commission or corporation with complete power to attempt to set aside the law of supply and demand."

Of course, the gentlemen who voted for the resolution earnestly believed these words were true, but some person who advised them must have known that there is not a vestige of truth in them. The proposed corporation would fix nothing. It can only buy up the surplus. In doing this it can continue buying only until the product in question raises to a price that bears the same relation to the general index that the pre-war price bore. Since the general index fluctuates precisely with the condition of business in the country, the price of the product considered will also so fluctuate and no power is given by the bill to anybody to fix and control prices. The resolution goes on to say that the bill would add to the expense of marketing, and thus to show that whoever "sold" the idea of these resolutions to this group of farmers led them to believe that this supposed added cost would come out of the already low price they now receive for their products. He omitted to show them that if the added cost of marketing is anything at all, it comes out of an added price of about 50 cents a bushel for their product. In other words, the resolutions themselves demonstrate that the signers thereof were deluded and cozened into thinking and saying that the effect of the bill will be to decrease the price of their product to themselves. No wonder they signed the resolution. This delusion is further demonstrated by another amazing sentence, "The public can not afford to pay more." When we reflect that the public is paying less than cost of production, no fair member of the public would be heard to say that he could not afford to pay more and no informed farmer would make a statement like this. We can only conclude that these farmers were not informed, or—more likely—were misinformed as to the nature, the purpose, and the effect of the bill.

You ask what a Member of Congress is to do when two agricultural organizations—equally important and equally interested—reach such absolutely different conclusions? We think you are in no real doubt as to what he should do. He should follow that course which is right, equitable, sound, and fair. He should consider the greatest good to the greatest number so long as that can be accomplished without injustice to a minority. Under these circumstances we most certainly do think that we have a right to "demand that a Member of Congress from Illinois shall unequivocally and actively support and vote for the McNary-Haugen bill."

You ask whether we will not be in an equivocal position due to the fact that we have advised farmers to restrict wheat acres if the McNary-Haugen bill passes and raises the price of wheat. We have given no such advice. The McNary-Haugen bill is not a law, and it was not a law when such advice may have been given by others, and if many Congressmen are minded as you seem to be it will never be a law.

We have already answered your question as to whether the McNary-Haugen bill would put the Government in the grain business. The answer is, no; and for the reasons stated.

Your next question becomes inappropriate, since you say that if it does put the Government into the grain business, should it not engage

in other kinds of business. We shall not, however, attempt to escape the query that was in your mind. You mean that if the Government removes this ancient inequity of the farmer, should it not, as occasion arises, be ready to do a similar thing for others? In other words, is this not a bad precedent?

The precedent was established when we enacted the tariff and omitted the farmer from protection. The bill merely rectifies the omission. It is not a precedent. It is a sequel. It is not even the first sequel. The immigration law gave labor its protection but left agriculture still out in the blasts of a wintry world. So far as we know, this is the last breach in the protective wall. It is a breach that must be closed—not in favor of agriculture but in favor of the whole United States and in common justice to the farmer.

But even if there were other classes equally prejudiced, is a precedent of simple justice something to be avoided? If there be another segment of our population equally sinned against, the suggestion that their wrongs should also be righted is no argument against righting this great wrong.

Not long ago industry asked the right to combine for export trade. It was granted instantly. It has long been the custom for industries to sell in export at less than domestic prices. Agriculture seeks no greater or different privilege. The precedents are all behind us. There is no other class in like case with agriculture. The McNary-Haugen bill closes the last gap in our protective outworks and rights the last great wrong.

You ask if this proposition is not socialistic and then amuse yourself with another array of straw men—this time Russian Bolshevik. The bill is no more socialistic than the tariff. Perhaps that is paternalistic or communistic, but having thus launched into Bolshevism in favor of two-thirds of our people at the expense of the other third, what kind of good faith is it to refuse exactly the same protection to the other one-third on the plea of "individualism"? Who has the cynical audacity to say that what is the sound foundation rock of our economic policy for New England is communism for the agricultural portions of Illinois?

But this bill does not "put the Government into business"; it does not "interfere with business." It permits a corporation to combine farm products for export sale just as the Edge and the Webb bills now permit industry to combine. The Government then does nothing but give the corporation its sanction. It creates no governmental bureau or department. It permits the agricultural corporation, organized in the only way it can be organized, to go into the market and buy and sell, thus correcting an insufferable condition. The Government as such does nothing. The farmer pays every cent of expense and bears every risk of loss.

This completes a categorical reply to every one of your questions. The affirmative arguments for this bill are doubtless in your hands, but your letter indicates that they have had scant attention from you. It further indicates that the arguments of the opposition have received an enthusiastic reception at your hands. Every one of them that has yet appeared parades through the pages of your letter with a great deal of sound and fury. Not once in your entire screed do you refer to the beneficial result of this bill to the farmer. Not once do you suggest any alternative measure to alleviate his condition, although you are very emphatic in your recognition of that condition. You call the McNary-Haugen bill revolutionary, destructive of all our present systems of exchange, marketing, and involving the possible destruction of the present markets for farmers, and you say it may result in untold injury to an industry which is now almost prostrate. Yet, you do not support any one of these conclusions with a shadow of argument or evidence. Since these are the only real conclusions we find—most of your letter containing only interrogations—we can not escape the suspicion that your chief concern is with the systems of exchange and marketing which have brought the farmer to his present situation.

Perhaps our conviction of the inequity of opposition to this bill drives us too far in our thought, gained from perusal of your letter, that your mind is no longer open and that the arguments herein advanced are wasted on you. We trust that such is the case. We have endeavored to weigh both sides of this question in a judicial frame of mind. We have come to the conclusion that the essential principles of the McNary-Haugen bill are absolutely sound in economics and that the opposition is unsound; that it springs rather from grievances than from argument; and that from this basic fact it results that no man can advocate the opposition without finding himself mired in a morass of evasions, sophistries, and deceptions.

In conclusion, I wish to say that I do not pose as an expert on technical matters involved in this bill, and I believe it proper to here acknowledge my indebtedness for the able and conscientious assistance freely given by those versed in the technical matters involved and by the proponents of this measure. I know the condition of agriculture and realize my responsibilities well enough to respond to the pleas for help by men in this great industry. I would be derelict in my duty if I ignored the justifiable and insistent demand for some relief from Congress or any other possible source. It would be unpardonable if the association which I have the honor to represent did not use every means

at hand to give you and others in position of authority the composite judgment of agricultural leaders in the State. The people of this State expect from me fair consideration of agricultural problems and proposed remedies. I am equally as sure they have a right to expect the same from you.

Very truly yours,

ILLINOIS AGRICULTURAL ASSOCIATION,  
S. H. THOMPSON, *President*.

#### ORDER OF BUSINESS

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. The Committee on Agriculture has the next call on Calendar Wednesday. I desire to inquire whether, if any bills were taken up now by the Agricultural Committee, that would constitute a day?

The SPEAKER. The Chair thinks it would. Although the day is nearly gone, the Chair thinks it would constitute one day.

#### ADJOURNMENT

Mr. LONGWORTH. Then, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Thursday, April 10, 1924, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

429. Under clause 2 of Rule XXIV, a letter from the governors of the State of New York and the State of Connecticut, transmitting a request that Congress approve the boundary line established and monumented by laws of the two States, was taken from the Speaker's table and referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SPEAKS: Committee on Military Affairs. H. R. 526. A bill authorizing the Secretary of War to enter into an arrangement on behalf of the United States with the Alexandria Light & Power Co. whereby civilians may obtain electric current from a Government-owned transmission line extending from Alexandria to Fort Humphreys, Va.; without amendment (Rept. No. 477). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WILLIAMS of Michigan: Committee on the Public Lands. H. R. 4481. A bill authorizing the Secretary of Commerce to exchange land formerly used as a site for the Point of Woods Range Lights, Michigan, for other lands in the vicinity; with an amendment (Rept. No. 478). Referred to the Committee of the Whole House.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 8544) to authorize the erection at Clinton, Sampson County, N. C., of a monument in commemoration of William Rufus King, former Vice President of the United States; to the Committee on the Library.

By Mr. CHRISTOPHERSON: A bill (H. R. 8545) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Band of Santee Sioux Indians to the Red Pipestone quarries, Minnesota; to the Committee on Indian Affairs.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 8546) relating to the examination of witnesses in suits in equity in the courts of the United States; to the Committee on the Judiciary.

By Mr. FISH: A bill (H. R. 8547) for retirement of all enlisted men who have served honorably in the United States Army as herein provided; to the Committee on Military Affairs.

Also, a bill (H. R. 8548) for the retirement of all enlisted men who have served honorably in the United States Army as herein provided; to the Committee on Military Affairs.

By Mr. LAMPERT: A bill (H. R. 8549) to provide for the examination and registration of engineers in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 8550) to authorize the appointment of a commission to select such of the Patent Office models for retention as are deemed to be of value and historical interest, and



to dispose of said models, and for other purposes; to the Committee on Patents.

By Mr. GRIEST: A bill (H. R. 8551) to amend the Federal farm loan act and the agricultural act of 1923; to the Committee on Banking and Currency.

By Mr. MORGAN: A bill (H. R. 8552) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Mount Vernon, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. SHALLENBERGER: Joint resolution (H. J. Res. 239) authorizing the Secretary of Agriculture to purchase and distribute suitable medals to be awarded to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill.; to the Committee on Agriculture.

By Mr. MERRITT: Joint resolution (H. J. Res. 240) confirming the execution of an agreement to settle the boundary line between the States of New York and Connecticut, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG: Joint resolution (H. J. Res. 241) to provide that suit No. 33731 in the Court of Claims of the United States is hereby referred back to the Court of Claims of the United States with directions to consider and adjudicate the matters therein involved in the light of the intention of Congress, and for other purposes; to the Committee on Claims.

By Mr. GRAHAM of Pennsylvania: Resolution (H. Res. 252) for the immediate consideration of H. R. 5195; to the Committee on Rules.

Also, resolution (H. Res. 253) for the immediate consideration of H. R. 8369, a bill granting relief to accountable officers of the War and Navy Departments, and for other purposes; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 8553) granting an increase of pension to Elizabeth Secrist; to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 8554) for the relief of Hoyt G. Barnett; to the Committee on Claims.

Also, a bill (H. A. 8555) for the relief of Emory Lord; to the Committee on Claims.

Also, a bill (H. R. 8556) for the relief of Arthur McRee; to the Committee on Claims.

By Mr. BLAND: A bill (H. R. 8557) granting a pension to Mary E. Eagleston; to the Committee on Invalid Pensions.

By Mr. BLANTON: A bill (H. R. 8558) granting a pension to Mrs. John Jackson; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 8559) to reimburse Horace A. Chouinard, chaplain in the Twenty-third Infantry, for loss of certain personal property; to the Committee on Claims.

By Mr. EVANS of Montana: A bill (H. R. 8560) to reimburse D. C. Chambers for services as elevator conductor for the United States in the post-office building at Missoula, Mont.; to the Committee on Claims.

By Mr. FLEETWOOD: A bill (H. R. 8561) granting a pension to Mary A. Winn; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 8562) granting a pension to Katharina Sparks; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 8563) for the relief of Herman C. Davis; to the Committee on Claims.

Also, a bill (H. R. 8564) for the relief of Thomas Etherton; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 8565) granting a pension to William M. Anderson; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 8566) for the relief of Claude S. Betts, late ensign (pilot) Naval Air Service; to the Committee on Naval Affairs.

By Mr. MORGAN: A bill (H. R. 8567) granting an increase of pension to Alice Gormley; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of New York: A bill (H. R. 8568) to reimburse the Compagnie des Eaux de Constantinople for interest upon moneys advanced to the United States; to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 8569) granting an increase of pension to Ella L. Norwood; to the Committee on Invalid Pensions.

By Mr. PERLMAN: A bill (H. R. 8570) for the relief of the widow and next of kin of James J. Curran; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 8571) granting a pension to Nellie Mae Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8572) granting a pension to Eliza A. Holtz; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 8573) for the relief of William M. Hardin; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 8574) granting a pension to Adelaide M. Clark; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 8575) for the relief of Robert C. Osborne; to the Committee on Claims.

By Mr. TREADWAY: A bill (H. R. 8576) granting an increase in pension to Philippine Hatzler; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 8577) granting an increase of pension to Sarah E. Doan; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2271. By the SPEAKER (by request): Petition of Philadelphia Federation of Churches, urging the Members of the House of Representatives to use their influence to bring the United States into the World Court; to the Committee on Immigration and Naturalization.

2272. By Mr. ALDRICH: Petition of Societa M. S. San Rocco, of Providence, R. I., protesting against the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2273. By Mr. ANDREW: Petition of the Harvard Medical Society, approving the labeling of household lye packages with the word "Poison," and supporting the request that has been made upon Senator G. W. PEPPER to introduce in the Senate a bill, of which a draft has been prepared and forwarded to him under authorization of the American Medical Association (H. R. 7822); to the Committee on Interstate and Foreign Commerce.

2274. By Mr. DICKSTEIN: Petition of the Congregation Shearith Israel, Central Park and Seventieth Street, New York City, opposing the Johnson bill (H. R. 7995); to the Committee on Immigration and Naturalization.

2275. Also, petition of Lemberger Dr. Lowenstein Lodge, No. 54, I. O. B. A., New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2276. Also, petition of Italian National Rifle Shooting Society of the United States, 139 McDougal Street, New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2277. Also, petition of Joseph Gladstone, 51 Malden Lane, New York City, opposing Johnson immigration bill as un-American and discriminatory; to the Committee on Immigration and Naturalization.

2278. Also, petition of Jacob Billikopf and Judge William M. Lewis opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2279. Also, petition of League of Foreign Born Citizens, 342 Madison Avenue, New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2280. Also, petition of St. Louis citizens at mass meeting, Johnson immigration bill committee, 416 United Home Building, St. Louis, Mo., opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2281. Also, petition of East Side Post, 868, American Legion, 164 East Seventh Street, New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2282. Also, petition of the Kossuth Ferencz Hungarian Literary Association, and 22 other Hungarian societies, numbering about 15,000 men and women, of New York City, opposing Johnson immigration bill as un-American, undemocratic, and discriminatory; to the Committee on Immigration and Naturalization.

2283. Also, petition of United Brotherhood of Carpenters and Joiners of America, Union 1157, affiliated with the American Federation of Labor, Passaic, N. J., opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.



2284. Also, petition of the Sons of Italy Society, Lodge Luigi Gaddoma, No. 771, Butler, Pa., opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2285. Also, petition of Jewish Veterans of Wars of the Republic, 350 Madison Avenue, New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2286. Also, petition of The Italian Daily, New York City, opposing Johnson immigration bill as discriminatory and un-American; to the Committee on Immigration and Naturalization.

2287. Also, petition of mayor, ex-mayor, and 50 business men of the city of Coatesville, Pa., opposing Johnson immigration bill as un-American and discriminatory; to the Committee on Immigration and Naturalization.

2288. Also, petition of National Committee for Constructive Legislation, New York City, opposing Johnson immigration bill as discriminatory; to the Committee on Immigration and Naturalization.

2289. Also, petition of Asariah Lodge, No. 164, Independent Order of B'nai B'rith, opposing Johnson immigration bill as discriminatory; to the Committee on Immigration and Naturalization.

2290. Also, petition of Ohio State Association of Builders' Exchanges, Akron, Ohio, as opposed to Johnson immigration bill as prejudicial to the best interests of the public at large; to the Committee on Immigration and Naturalization.

2291. Also, petition of National Croatian Society of the United States of America, against Johnson bill; to the Committee on Immigration and Naturalization.

2292. Also, petition of Executive Board of Union of American Hebrew Congregations, representing 270 reformed congregations in United States, with aggregate membership of more than 75,000 citizens, asking establishment of commission to study the immigration problem and recommend suitable measures for its regulation; to the Committee on Immigration and Naturalization.

2293. Also, petition of United Foreign Language Newspaper Publishers' and Editors' Committee on Immigration, against the Johnson bill as unfair and discriminatory; to the Committee on Immigration and Naturalization.

2294. Also, petition of Chester Husted, Poughkeepsie, N. Y., asking larger base quota for Armenia; to the Committee on Immigration and Naturalization.

2295. Also, petition of the Department of Immigrant Aid of the National Council of Jewish Women of New York, against the Johnson bill (H. R. 6540) as un-American and discriminatory; to the Committee on Immigration and Naturalization.

2296. By Mr. DREWRY: Petition of H. M. Gaughan and 125 others, citizens of Petersburg, Va., relative to the passage of immigration legislation; to the Committee on Immigration and Naturalization.

2297. By Mr. FULLER: Petitions of the American Legion, Department of Illinois; Local Union No. 800, United Mine Workers of America, of Streator, Ill.; and sundry citizens of Illinois, favoring the Johnson immigration bill (H. R. 6540); to the Committee on Immigration and Naturalization.

2298. Also, petition of Tod Post, No. 29, Department of Ohio, G. A. R., favoring passage of Senate bill 5, known as the Bursum bill, without amendment; to the Committee on Invalid Pensions.

2299. Also, petition of 25 citizens of Grand Ridge, Ill., favoring strict enforcement of the prohibition enforcement act; to the Committee on the Judiciary.

2300. Also, petition of the National Association of Retail Grocers, favoring immediate legislation for a 25 per cent reduction in the income taxes for 1923, and a general reduction of income taxes all along the line; to the Committee on Ways and Means.

2301. Also, petition of the Brotherhood of Railroad Signalmen of America, favoring the Howell-Barkley bills (S. 2646 and H. R. 7358) for the settlement of disputes between carriers and employees; to the Committee on Interstate and Foreign Commerce.

2302. Also, petition of the National Restaurant Association, favoring reduction of the tariff on sugar and removal of the tax on silverware for commercial purposes; to the Committee on Ways and Means.

2303. Also, petition of Earl D. Seaton and 89 other citizens of Peru, Ill., favoring restriction of immigration, based on the census of 1890; to the Committee on Immigration and Naturalization.

2304. By Mr. GALLIVAN: Petition of the American Legion, Department of Massachusetts, urging Congress to provide for

the care and comfort of disabled war veterans; to the Committee on World War Veterans' Legislation.

2305. Also, petition of Brotherhood of Railroad Signalmen of America, favoring the Howell-Barkley bill; to the Committee on Interstate and Foreign Commerce.

2306. By Mr. GARBER: Petition of citizens of Marshall, Okla., indorsing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2307. Also, petition of citizens of Blackwell, Okla., indorsing the immigration measure; to the Committee on Immigration and Naturalization.

2308. Also, petition of citizens of Fairview, Okla., indorsing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2309. Also, petition of citizens of Cleo Springs, Okla., indorsing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2310. By Mr. KVALE: Petition of members of the Bricklayers, Masons, and Plasterers' Union, No. 12, Willmar, Minn., protesting against the enactment of any legislation to legalize the use of beer and light wines; to the Committee on the Judiciary.

2311. Also, petition of members of the Bricklayers, Masons, and Plasterers' Union, No. 12, Willmar, Minn., commending the proposed international conference on narcotics as proposed in the Report of Hon. STEPHEN G. PORTER; to the Committee on Foreign Affairs.

2312. Also, petition of O. N. Ruud and 30 other poultry producers of Montevideo, Boyd, and Clarkfield, Minn., protesting against any reduction in the tariff on eggs; to the Committee on Ways and Means.

2313. Also, petition of 50 voters of Rolling Forks Township, Pope County, Minn., urging enactment of the so-called Haugen-McNary bill; to the Committee on Agriculture.

2314. Also, petition of E. S. Olsen, Milan, Minn., and 58 other producers of poultry products, protesting against any reduction in the tariff on eggs; to the Committee on Ways and Means.

2315. By Mr. LEAVITT: Petition of R. G. Dale and 119 other citizens of Billings, Mont., urging enactment of drastic restricted immigration legislation, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2316. Also, petition of C. E. Bramlette and 39 other citizens of Belt, Mont., urging passage of the Johnson immigration bill, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2317. Also, petition of N. J. Montgomery and 43 other citizens of Bridger, Mont., urging the enactment of rigid immigration legislation, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2318. Also, petition of E. W. Solivka and 39 other citizens of Glendive, Mont., urging the enactment of rigid restrictive immigration legislation, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2319. Also, petition of Frank Young and 24 other citizens of Billings, Mont., urging passage of the Johnson immigration bill, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2320. Also, petition of J. J. Barryman and 34 other citizens of Billings, Mont., urging drastic restrictive immigration legislation, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2321. Also, petition of H. C. Neville and 62 other citizens of Kalispell, Mont., urging the enactment of rigid immigration restrictions, with the 2 per cent quota provision based on the 1890 census; to the Committee on Immigration and Naturalization.

2322. Also, petition of the Belgrade (Mont.) Chamber of Commerce, indorsing the Johnson immigration bill providing for a 2 per cent admission on the basis of the 1890 census; to the Committee on Immigration and Naturalization.

2323. By Mr. MAGEE of New York: Petition of ladies of Skaneateles, N. Y., in favor of the equal rights amendment; to the Committee on the Judiciary.

2324. By Mr. MAGEE of Pennsylvania: Petition of the Pittsburgh Chapter of the Daughters of the American Revolution, expressing a firm belief in the cause of peace and pledging their help in advancing it; to the Committee on Foreign Affairs.

2325. Also, petitions of Keystone Outing Club; Samuel J. Tilden Democratic Association; Eighth Ward Republican Club; Young Men's Civic Club of North Side Pittsburgh; Kenilworth Club; Wilkesburg Business Men's Association; McGrail-Coyne



Post, No. 223; Twin City Camping Club; and Allegheny Jacksonian Club, all of Pittsburgh, Pa., indorsing increased compensation to postal employees; to the Committee on the Post Office and Post Roads.

2326. By Mr. MORROW: Petition of Mesilla National Farm Loan Association, W. P. Thorpe, secretary, Las Cruces, N. Mex., opposing Senate bill 1630 because of section 3 of said bill; to the Committee on Banking and Currency.

2327. By Mr. O'CONNELL of Rhode Island: Petition of members of Court Libia, No. 49, F. of A., of Providence, R. I., opposing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2328. Also, petitions of members of the Societa M. S. San Rocco, of Providence, R. I., opposing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2329. By Mr. PATTERSON: Petition of 134 residents of Gloucester County, N. J., indorsing the immigration bill; to the Committee on Immigration and Naturalization.

2330. Also, petition of 34 residents of Newfield, Gloucester County, N. J., indorsing the immigration bill; to the Committee on Immigration and Naturalization.

2331. By Mr. PHILLIPS: Affidavits to accompany House bill 8534, granting an increase of pension to Carrie Thompson; to the Committee on Invalid Pensions.

2332. By Mr. WINSLOW: Petition of residents of the fourth Massachusetts district, in favor of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

2333. By Mr. YOUNG: Petitions of the County Bankers' Association of Grand Forks, N. Dak., and the Community Commercial Club of Edgeley, N. Dak., urging the passage of the McNary-Haugen bill; to the Committee on Agriculture.

## SENATE

THURSDAY, April 10, 1924

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, the God of our fathers, we look unto Thee this morning with thanksgiving. Thou hast spared our lives and opened unto us new opportunities as well as to call us to the fulfillment of duty. We pray Thee for Thy grace and help. Lead us into paths of wisdom with clearness of understanding and highest hope for our land and for the world. Hear and help. For Jesus' sake. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, April 7, 1924, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the bill (S. 1724) to amend section 4414 of the Revised Statutes of the United States, as amended by the act approved July 2, 1918, to abolish the inspection districts of Apalachicola, Fla., and Burlington, Vt., Steamboat Inspection Service.

The message also announced that the House had passed a bill (H. R. 8143) for the protection of the fisheries of Alaska, and for other purposes, in which it requested the concurrence of the Senate.

### ENROLLED BILL SIGNED

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6815) to authorize a temporary increase of the Coast Guard for law enforcement, and it was thereupon signed by the President pro tempore.

### DISTRIBUTED AND UNDISTRIBUTED EARNINGS OF CORPORATIONS (S. DOC. NO. 85)

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting a report showing the profits of corporations reporting net taxable income of \$2,000 and over for either the calendar year ended December 31, 1922, or fiscal year terminating prior to July 1, 1923. The report is made in compliance with Senate Resolution 110.

Mr. JONES of New Mexico. I ask unanimous consent that the communication may be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection?

Mr. WARREN. To what does it refer?

Mr. JONES of New Mexico. It is in reply to a resolution which the Senate passed early in January calling for information regarding the earnings of corporations.

Mr. WARREN. Should it not be printed and go to the committee?

Mr. JONES of New Mexico. The committee to which it would be referred is about to report the bill, and it ought to be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### SENATOR BURTON K. WHEELER

The PRESIDENT pro tempore. The Chair desires to announce that under Resolution No. 206, the Chair appoints as the committee therein authorized the Senator from Idaho, Mr. BORAH, as chairman, the Senator from Connecticut, Mr. McLEAN, the Senator from South Dakota, Mr. STERLING, the Senator from Virginia, Mr. SWANSON, and the Senator from Arkansas, Mr. CARAWAY.

### PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Society of Colonial Wars in the District of Columbia, protesting against the passage of legislation appropriating \$10,000,000 for the relief of the German people, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a concurrent resolution of the Assembly of the State of New Jersey, which was referred to the Committee on Finance, as follows:

Assembly concurrent resolution 1. Introduced January 21, 1924, by Mrs. Thompson

### STATE OF NEW JERSEY.

Whereas the people of the State of New Jersey are deeply sensible of the services rendered by the soldiers, sailors, and marines of the forces of the United States in the World War, and of the fact that these services were rendered almost in every case at some considerable pecuniary sacrifice and loss of such varying nature and degree as to be incapable of exact measurement by a fixed standard; and

Whereas the United States has not thus far in any substantial or sufficient way compensated those of its forces who suffered such sacrifice and loss, although more than five years have elapsed since the World War was ended; and

Whereas there is now pending in the Congress of the United States a bill known as the World War adjusted compensation act (H. R. 3242), which does provide for suitable and sufficient compensation for such losses and sacrifices as nearly as the same are capable of measurement; and

Whereas the people of New Jersey have recognized in a substantial manner the services of those of its citizens who served in the World War by the passage by a large majority of a bill providing for the payment to them by the State of New Jersey of a bonus graduated according to the length of their war service, and have thereby recognized the justice of the principles embodied in the aforesaid bill now pending in Congress; and

Whereas the Senate and House of Representatives of the United States, expressing the popular will of the majority of the entire citizenry of the Nation, have heretofore passed such legislation, only to have the same avoided by technical delay or killed by presidential veto; and

Whereas the large majority of people of New Jersey are believed to favor the passage of the aforesaid bill now pending in Congress, and the principles therein involved: Be it

Resolved by the General Assembly of the State of New Jersey (the Senate concurring), That it is the sense of the Senate and General Assembly of the State of New Jersey, representing the people of the State of New Jersey, that the said bill now pending in Congress known as the World War adjusted compensation act (H. R. 3242) ought to be promptly passed; that the Senate and General Assembly of the State of New Jersey, speaking for themselves and their constituents, therefore hereby urge upon the Congress of the United States the immediate passage of the aforesaid bill; that copies of this resolution be forthwith sent to the Senate and House of Representatives of the United States and to each Senator and Representative from the State of New Jersey.

Mr. BURSUM. I present telegrams in the nature of memorials from certain officers of railway shop organizations at Albuquerque, N. Mex., which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the telegrams were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. Mex., April 4, 1924.

H. O. BURSUM,

Senator, Washington, D. C.

We, the undersigned, representing the Atchison, Topeka & Santa Fe Railway System Shop Crafts Association, respectfully protest against the passage of the amendment to abrogate Title III, transportation act of 1920, proposed by the so-called standard railway labor organizations as an act repudiating the men who remained loyal to the public in-